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THE CAMPAIGN IN THE SHENANDOAH.

THE victory of Cedar Creek is the great military event of the week, and, in Virginia, almost the only event of importance. The Army in the Valley had lain quietly, for several days previous, along Cedar Creek, well posted behind breastworks thrown up on rising and rolling ground. The infantry line ran along the easterly side of the creek, with CROOK's Eighth corps on the left, EMORY's Nineteenth in the centre, and WRIGHT's Sixth, under RICKETTS, on the right. On the right of the Sixth,—or, almost, of the Nineteenth, for the Sixth was thrown a little to the rear, and in reserve, were the two cavalry divisions of CUSTER and MERRITT. Our line was four or five miles long, and had a northerly direction. The left, CROOK's corps, rested its left flank on the North Fork of the Shenandoah, and its right on the Winchester and Strasburgh Turnpike, holding the irregular easterly bank of Cedar Creek. North of the turnpike came the left of EMORY's corps, GROVER's division protecting that side of the pike, and joining THORBURN's division of the Eighth corps, which held the other. Entrenchments had been thrown up in front of these two corps, that is, along our left and centre, and particularly on the left. The Sixth corps and the two cavalry divisions were not strongly protected with works, but were well posted on high ridges. MERRITT lay rather in rear of CUSTER, on the right. These two cavalry divisions covered the right wing, and, with the Sixth corps, a little in rear of the Nineteenth, held firmly the Middle Road, or that which runs from Strasburgh to Winchester, next westerly of the turnpike. Between the turnpike and the Middle Road is a small stream, called Meadow Run, which empties into Cedar Creek. The whole line was arranged so as to resist any attack which the enemy might be bold enough to venture.

The extreme left, however, was not held by CROOK's infantry, but by POWELL's (formerly AVERILL's) cavalry division, which picketed the whole North Fork from Cedar Creek to Front Royal. At the latter point, which formed the left of our line, WIER's battery commanded the fords, one on the North Fork and the other on the South Fork, through which runs the road from Front Royal to Winchester—a section of artillery being at each ford. Cavalry supported the artillery, and other cavalry picketed carefully both forks in the region where they join to form the main Shenandoah River, in order that the enemy might not surprise us from the Luray Valley. The whole northerly bank of the North Fork was in like manner picketed as far as CROOK's corps, and MOORE's cavalry brigade held Buckton's Ford, which is about midway along this line held by the cavalry posts. POWELL, on the extreme left, kept up communication with AUGUR's troops at Rectortown, on the Manassas Gap Railroad, and thence with Washington. It will be remembered that AUGUR sent one of the messages which appear in Secretary STANTON's first dispatch concerning the battle. Both CROOK and EMORY had

artillery in position to command the rising ground on the westerly bank of Cedar Creek, opposite to the heights on which they were posted, and particularly to command the ford and the bridge at the creek, where the turnpike crosses it. The Army trains and reserve artillery lay in the rear, on the turnpike. Our line, then, ran thus from right to left across the entire Valley:—CUSTER, MERRITT, WRIGHT, EMORY, CROOK, POWELL.

On Saturday, the 15th, General SHERIDAN left the Army for Washington, on important business, proceeding with an escort from Front Royal through Manassas Gap to Piedmont, where he met General AUGUR, and thence to Washington. General WRIGHT was left in command of the Army, and General RICKETTS in charge of the Sixth corps. On Monday, the 17th, the cavalry on the right, under CUSTER, was attacked along its picket line by cavalry and infantry, who captured some of our men. A severe skirmish ensued, at the close of which the enemy was repulsed. The next day, Tuesday, Colonel HARRIS, with the Third brigade of THORBURN's division, made a careful reconnoissance from the left towards Strasburgh and Fisher's Hill, but no signs of the enemy's threatened approach were observed. Captured dispatches, however, had made it certain that EARLY had been reinforced for the express purpose of attacking and defeating SHERIDAN, and it was probable that the attempt would not long be delayed. Accordingly, General EMORY was ordered to prepare a reconnoissance in force for the next day.

BATTLE OF CEDAR CREEK.

But, soon after midnight of Tuesday, EARLY, having arranged his troops unperceived at Fisher's Hill, just beyond Strasburgh, moved forward to the attack. The sharp rattle of musketry on the right, near the Middle Road, before daylight, made the camp aware that our cavalry pickets were engaged with the enemy's skirmishers. But the firing died away, the movement in that quarter being in fact only a feint, and being regarded, also, as a demonstration like the previous one against CUSTER's pickets. The real attack was to fall upon our left. KERSHAW's division was in EARLY's advance. Marching southeasterly from Strasburgh a short distance along the Manassas Gap Railroad, KERSHAW, with a selected column, then turned northerly again on the small road which crosses the North Fork by a ford about a mile to the east of the junction of the Cedar Creek with that river. Before dawn of Wednesday, the 19th, he was across the ford and marching past the left flank of CROOK's corps directly in the latter's rear, the whole manœuvre being accomplished in the chilly and foggy morning without the knowledge of our Army. Meanwhile, the rest of EARLY's command had marched straight down the turnpike from Strasburgh to Cedar Creek, with equal silence and celerity, and, like the flanking column, without alarming our pickets or officers of the day.

His positions being gained, close upon our picket line, the enemy, just before daybreak, rushed to the attack. So well protected was this flank with earthworks carrying artillery, that little fear had been entertained for it. But the enemy's noiseless advance and successful surprise counterbalanced the strength of the defences. Advancing in columns of regiments, he swept in upon CROOK's picket line, and captured the greater part of it. Before the noise of the skirmishing had aroused the camp from its slumbers, the enemy's flanking column was fairly within the entrenchments of the Eighth corps, and was capturing prisoners in large numbers, amongst his captures being

the Second battalion Fifth New York heavy artillery, which was on the picket line. Once inside the camp, the enemy rushed to seize the batteries, and succeeded in cutting off and capturing many pieces of artillery, before the latter could exchange a shot. The left division of CROOK's corps was now thoroughly broken up, and KITCHING's provisional division, of heavy New York artillery, which lay in CROOK's rear, suffered a similar calamity. General CROOK and Colonel KITCHING endeavored to rally their commands; but the bewilderment of the troops in the unexpected attack, the large force of the enemy, and his success in turning our flank unperceived, showed that he could not be checked at this point.

Meanwhile, also, EARLY had emerged from behind the hills west of Cedar Creek, where he lay concealed, and, simultaneously with the attack in flank, rushed across the creek at the ford, and drove back THORBURN's division, which lay on the right of CROOK's line, in front of the ford and against the turnpike. This combined movement sufficed to complete the disaster. The entire corps was routed, and the left flank of the Army turned. Many of the regiments, however, were rallied, and, the whole command falling back to the turnpike, was there got into line again as rapidly as possible, after the loss of many prisoners. But the enemy had now got all his artillery in position on the high ridges on the westerly bank of the creek, and, with accurate range, was pouring shot and shell in great profusion into both the Eighth and Nineteenth corps. On this side of the creek, also, he continued his rapid advance, elated at his success, and delivered a constant and murderous musketry fire into our recoiling line as he advanced. He had soon gained and passed the turnpike, in his march along our line, and, in heavy force, charged the batteries of the Nineteenth corps. His impetuous attack was only too successful, and the left of the Nineteenth corps also gave way, leaving a part of its artillery in his hands. Under this rapid musketry fire of the enemy in his vigorous advance, joined with his effective artillery from the opposite banks of the creek, and the fire from our own batteries which he had turned against us, our left and centre were thrown into confusion. Many prisoners were captured, and many casualties occurred in our ranks from his hot fire. All the trains were therefore started in haste along the turnpike to Winchester, and, escaping capture, arrived there in safety.

It was now broad day, and it appeared that our disasters had only begun. For the enemy, having succeeded in rolling up the left of the line, and in severing POWELL's cavalry division on the extreme left from the rest of the Army, was now forcing back the entire centre, and occupying the entrenchments of the Nineteenth corps as he had those of the Eighth. He had captured a large part of our artillery also—eighteen pieces thus far—and not only deprived us of these means of checking his advance, but, to our double calamity, turned them on our columns, materially precipitating the retreat. Nearly all of his force was on this side of the creek, and a part of the flanking column, turning off from the pursuit of the Eighteenth corps, found itself in rear of GROVER's Second division of the Nineteenth corps, which formed EMORY's left, and held the right or northerly side of the turnpike. Hasty dispositions towards a change of front was made, so as to hold the pike, but they were of no avail. EMORY was flanked, in his turn, and gave way to the rear. The Sixth corps had been already ordered over from its position on the

right, and quickly executed a change of front, which brought it at right angles to its former direction. Steadily holding this new line, the corps was soon engaged in desperate conflict, and, by its gallantry, served to check the enemy's impetuous rush. But, after all, it only availed to cover the general retreat, which was now ordered. The enemy was creeping up along the pike, and already approached Middletown. Great efforts were made to get away the trains of the two left corps, and most of those of the Nineteenth were saved. Most of the ambulance train of the Eighth corps was captured during the first hour of the engagement. In the retreat, and in the effort to cover our trains, our troops suffered severely from the fire of the enemy, who pursued closely and with great vigor.

We have already said that the small stream of Meadow Run empties into Cedar Creek between the turnpike and the Middle Road. It is clear that the turning of our left flank and centre would at once throw the line across to the northerly side of that stream. The Army was now rapidly falling back in this direction, uncovering to the enemy Middletown, the next village to Strasburgh on the turnpike, northeast of the latter, and about five miles distant therefrom. The disorderly retreat into which a part of our forces had fallen was here somewhat checked, although there were many fugitives and stragglers, and the hasty flight to the rear of the trains and train-guards, the ambulances, and the wounded, increased the appearance of a total rout. The Sixth corps was steadily covering the retreat, however, and by resisting the enemy's advance, gave opportunity to reform the Eighth and Nineteenth corps, with the Nineteenth on the right, the Sixth in the centre, and the Eighth on the left. During the retreat, the gallant General RICKETTS, commanding the Sixth corps, was severely wounded in the breast.

The enemy now increased both his artillery and musketry fire to its utmost capacity, till the roar and carnage became terrific. He still pressed our left flank, as if determined to drive us away from the turnpike, that he might seize our trains, and insert himself between us and Winchester. His projects were aided somewhat by the necessity forced upon us to spend much time in manoeuvring to reform the line, while he employed himself only in advancing and pouring in his destructive fire. As he pressed our left so much more hotly than the right, the cavalry divisions of MERRITT and CUSTER were sent across thither from the right, and now a severe contest took place near Middletown, in the thickly wooded and rough country in which our left had found itself.

It was now about 9 o'clock, and our troops, having got into line-of-battle again, were, for the first time, making desperate efforts to check the enemy. The Eighth corps, on the left, and the Sixth, in the centre, were receiving the brunt of the fierce onset. MERRITT and CUSTER had also taken part in the thick of the battle. Both sides were using artillery as well as musketry, but the enemy brought to bear the greater weight of metal, having reinforced their own batteries with our captured pieces. As the enemy's troops closed in on our own, it was clear that the momentum he had acquired was swinging him again past our flank. The flanking column of the enemy pressed severely upon THORBURN's division and other parts of CROOK's corps, and once more forced it back. The Sixth corps held its ground well, but the whole line was giving away, and the enemy gained Middletown. He continued to press us back towards Stephensburgh or Newtown, which lies next below Middletown, on the turnpike, and about five miles distant therefrom. His artillery was served with accuracy from the heights north of Middletown which we had just vacated. Our principal aim henceforth was to successfully cover our trains and to draw away the Army with as little loss as possible to Newtown, when another stand might be made: for General WRIGHT had by no means despaired of the day.

THE TIDE TURNED.

But, at this time, about 10½ o'clock, SHERIDAN rode upon the field from Winchester, where news of the battle had reached him. He had come in at great speed, being well assured by the sight that met him on the road that his presence was needed at the earliest moment. His arrival created great enthusiasm amongst both officers and men, to whom, in the general gloom, this was a ray of hope. He rode along the

ranks, and was received everywhere with cheers. A temporary pause in the enemy's pursuit, and our own withdrawal from his fire, facilitated greatly the preparations to resist any further advance. These were promptly undertaken, just south of Newtown, between the latter point and Middletown. The line was left as WRIGHT had formed it, except that one cavalry division, CUSTER's, was sent across to cover the right flank, where it was before the battle.

The lull in the fierce fighting which had commenced soon after our retreat to Newtown and SHERIDAN's opportune arrival, soon after noon came to an end. The enemy, having got his artillery up into range of our new position, now opened it with new vigor. About one o'clock, his troops were well in hand again, and once more came up on the charge. But this time he was doomed to disappointment. Our lines were ready, and, after a long and desperate struggle, repulsed him handsomely, and even followed him back for a short distance. General BIDWELL was killed and General GROVER wounded, in this renewal of the heavy engagement. From two o'clock till three there was no advance of importance on either side. Incessant cannonading and the rattle of musketry filled up the hour; but all attempts of the enemy to force us back were fruitless.

About three o'clock, SHERIDAN determined to make a grand effort to throw the enemy out of Middletown, which, up to that time, he held, and once more to regain our camp at Cedar Creek. The Sixth corps was drawn up in the centre, along the pike, with GETTY's second division in advance. The other divisions supported. The Eighth corps was re-formed on the left of the Sixth, and the Nineteenth came up on its right, under cover of the woods. MERRITT's first cavalry division was thrown out on the left flank, with LOWELL's brigade in advance, and DEVIN following closely. CUSTER was on the right flank. Between three and four o'clock, GETTY dashed forward on the charge, and the remainder of the line followed. A tremendous fire of artillery and musketry greeted our troops as they burst out of the woods. For a time it seemed impossible to withstand it. Our lines once surged back, broken, but were again re-formed, and, while such of our own batteries as remained answered the enemy with vigor and effect, the gallant troops again pressed on. Despite determined and bloody resistance, they carried the town, and drove the discomfited enemy through it. This was the crisis of the day, and from that moment victory was ours. The enemy at once began his retreat, and it was only a question how far our men would have strength enough to pursue him, and what spoil he would leave in our hands. In this last charge fell the gallant Colonel LOWELL who had greatly distinguished himself during this Shenandoah campaign. His brigade also behaved very handsomely during the present battle.

The Sixth and Nineteenth corps and the cavalry now pressed the enemy from Middletown to Cedar Creek. In his haste he threw away guns, haversacks, clothing, and other *débris* of a routed army. No time was given him to pause. The infantry were thrown rapidly into column for the pursuit, and the cavalry charged across the open fields. At Cedar Creek, the enemy attempted, at last, to hold us in check, and planted his batteries on the opposite banks, to hold the bridge and fords. But our forces pressed on, carried the fords and bridge, and drove him from the creek through Strasburgh to Fisher's Hill. The cavalry distinguished itself in getting across the creek under fire. The briskness of the pursuit caused the enemy to abandon large quantities of cannon, caissons, and wagons, and threw his whole rear into confusion. In fact our troops had now a fair offset for their own defeat in the morning, and the enemy was put to flight in quite as much rapidity and disorganization as he had visited upon us at daybreak, and with much greater loss of material. The desperately resisted, but successful charge at Middletown was, in fact, the turning point of the day. The enemy was put to flight, and all that was required was to pursue, and pick up prisoners and spoils. The hard fighting was over, and the loss which followed fell upon the enemy. The cavalry proved now of great assistance, and the enemy, in his haste to get away, abandoned all the cannon he had captured and much of his own. Our camp equipage fell into our hands again, and in fact, at each step, the cavalry found cannon, caissons, small arms, or other material, and prisoners ready to be captured without a struggle.

One of the enemy's papers, admitting the defeat, says:

All of the camp equipage captured on the creek in the morning was retaken by the enemy, and at Strasburgh the captured artillery becoming, by the demoralization of the drivers, mixed up in the street with some ten or twelve pieces of our own, the whole of it was abandoned. The prisoners we had taken, the most useless and unacceptable of our captures, were alone left to us as trophies of the morning. By night our army was in New-Market, worn with fatigue, and perplexed and mortified with the results of the day's operation, but growing cheerful by degrees, and sanguine of "better luck the next time." Our loss in men was not heavy. In this respect there is some consolation in knowing that the enemy suffered by far the heavier. In the morning's operations the slaughter of the enemy is represented as having been very great.

A part of our infantry reached Strasburgh, but the main Army bivouacked in the old camp along Cedar Creek. The cavalry dashed through Strasburgh to Fisher's Hill, and there stopped the victorious march. WRIGHT having fallen, we pursued only three or four miles beyond the old camp ground.

Early on Thursday morning, the 20th, the cavalry pushed out towards Fisher's Hill. POWELL, on the left, joined in, gathering up spoils with the rest. He had not been materially engaged on Wednesday. It was found that the enemy had retreated during the night and the next morning from Fisher's Hill through Woodstock to Mount Jackson, 24 miles southwest of Strasburgh, where he had paused and entrenched himself. Our cavalry followed the turnpike up to Woodstock, throwing out scouting parties towards both sides of the Valley, picking up much material of war, and many stragglers. At Woodstock, the main pursuit was stopped, it being then evident that the enemy had made good his hasty retreat. A reconnaissance beyond Woodstock proved that he had gone to Mount Jackson. The cavalry camped between Strasburgh and Woodstock, near Thom's Brook.

The enemy's force was probably about 20,000 men, consisting chiefly of the divisions of KERSHAW, RAMSEUR, GORDON, PEGRAM, and WHARTON, all under command of General EARLY. Many of these troops were of excellent character, being reinforcements from LEE's veterans, as their vigorous and desperate fighting and the skill of the officers, in the early part of the day, fully showed. His cavalry force was very small, and went into action dismounted. Our Army outnumbered the enemy, but, by his manoeuvre and surprise of the morning, he managed to present the most troops at the actual point of combat, throwing himself first on the Eighth corps, then on the Nineteenth, and finally on the Sixth. When our lines were restored, and all our troops were probably employed, the enemy was, in his turn, severely defeated. Our losses by capture up to midday of the 19th, were first 1,300 prisoners, all of whom were promptly sent to Staunton by the enemy. Next, twenty-four cannon, seven from CROOK, eleven from EMORY, and six from WRIGHT. Among these were one gun of battery D, Fifth artillery, all six of battery B, First Pennsylvania, two of LAMB'S, two of STEVENS', two of ADAMS', and one of MCKNIGHT'S. The enemy's fire was also very fatal to the artillery horses. Much of the camp equipage of the Army fell into the enemy's hands, including many tents, left standing with their contents, which the enemy eagerly rifled. Thirty or forty ambulances and many army wagons and medical supplies were among the captures. We had been driven four miles, also, to the rear, out of a strong position. But, on the turn of the tide, we gained back nearly all that had been lost—except the prisoners and the small amount destroyed or carried off by the enemy—and captured still more than we had lost. The most accurate estimate up to this date gives our total captures and recaptures as follows:—1,200 men, 64 officers, 43 cannon, 40 caissons, 3 battery wagons, 398 horses and mules, with harness, 65 ambulances, 50 wagons, 15,000 rounds artillery ammunition, 1,580 small arms, many medical stores of the enemy, besides our own, ten battle-flags, and some smaller captures of stores.

In killed and wounded, it is feared that our losses were more severe than the enemy, partly on account of the prolonged disaster in the morning, and partly because his precipitate flight, when he had lost the day, and the coming of nightfall, saved him from severer carnage. In prisoners, the loss was very nearly equal—about 1,300 on each side. Amongst the enemy's dead is General RAMSEUR, and Generals BATTLE and CONNER are reported wounded. A Richmond paper estimates his killed and wounded at only 1,100, but probably the number must be doubled. Our loss in officers was very large, including, amongst the kill-

ed General BIDWELL, Colonel THORBURN, commanding a division, Colonel LOWELL, commanding a brigade, Colonel HIGGINBOTHAM, and Major SMART. Amongst the wounded were General WRIGHT, Generals RICKETTS and GROVER, commanding divisions, and Colonels KITCHEN, MCKENZIE and PENROSE, commanding brigades. Colonels TRACY, CAMPBELL, HAMLIN, and others were also wounded. In some brigades, nearly every field officer was killed, wounded, or captured, and the staff officers of Generals SHERIDAN, CROOK, EMORY, GROVER, and other commanders, suffered severely. But the victory, though so hardly earned, has proved decisive and glorious.

GREAT GUNPOWDER EXPLOSION.

We take from the *Evening Post* a skillful condensation of the facts relating to a recent remarkable gunpowder explosion in England:

At Erith, in England, on Saturday, the 1st of October, one hundred and fifty thousand pounds of gunpowder were accidentally exploded, causing a report heard at the distance of over ninety miles, and a shock which people living twenty-five miles away thought to be the effect of an earthquake. The gunpowder was contained in two barges, and a large and a small magazine.

This is perhaps the greatest quantity of gunpowder ever exploded at one time. Even GRANT's great mine before Petersburg, which blew up into the air a regiment of infantry and a battery of artillery, and made a crater as of an extinct volcano, contained only fourteen thousand pounds. At Erith more than ten times this quantity was exploded.

It is curious to mark the results of the sudden liberation of such an immense force as was contained in these seventy tons of gunpowder. Fortunately, only twelve persons were killed and about twenty wounded; but the terrible power of such a mass of gunpowder is better shown by the effects of the sudden explosion upon the surrounding country. Below we have compiled, from a considerable number of reports, the noteworthy phenomena of this remarkable accident.

At more than two miles from the spot not only were doors and windows smashed in, but houses were partially destroyed. One residence was injured to the amount of five thousand dollars. One hundred yards of river embankment were blown away; fortunately the tide was low and the damage was repaired with great celerity, else a large and populous region, the whole of the Erith and Belvedere district, would have been submerged. A watchman at Gravesend, some miles off, one of the very few who saw from a distance the great catastrophe, as well as heard the awful thunder and felt the shock, says: "On turning round 'I saw as it were a pillar of fire rising to the clouds, which 'it appeared to strike, and then spread out like a huge fan, 'presenting a most beautiful and grand spectacle.'"

The destruction of houses and other material near the scene of explosion was, of course complete. One report says: "The buildings that lately covered some acres are 'heaps of tumbled earth and bricks and massive fragments 'of timber; beams of half a ton weight have been blown 'like feathers across the adjacent fields.'" The property destroyed in the surrounding district is estimated at five millions of dollars. A clock in a house seven miles away was stopped by the explosion. At Woolwich, four miles from the magazines, a shower of letters, invoices and other papers fell, shortly after the explosion, and an examination of these first informed the people there of the scene of the accident. Persons at that place report: "Immediately 'after the calamity an immense pillar of smoke rose from 'the spot high into the air, thick, black and palpable, with 'a huge spreading top, and about a quarter of an hour 'elapsed before it died away."

In and near Erith, two or three miles from the magazines, for some minutes after the explosion, "the earth 'heaved and trembled.'" Men were thrown violently from their beds; scarcely a house in the place has a pane of glass left whole. At Woolwich, four miles distant, door and window frames and sashes were smashed in, portions of ceiling and wall shaken down, many persons were violently thrown out of their beds, and several persons were injured. In connection with the showers of paper a singular circumstance occurred. A lad named EAVES was standing near the royal gun factories at Woolwich, in which he was employed, and picked up one of the torn pieces of paper which fell around him. He found it to be part of the page of a ledger in which his uncle, a foreman employed at the exploded magazine, had that morning entered a memorandum. He had attached his signature at the foot, together with the date of the entry—namely, October 1, 1864. At Chatham, twenty-five miles distant, the windows in the great workshops were violently shaken, and doors were forced open.

At Deptford, four or five miles off, one hundred and fifty gaslights in a large factory were blown out at once. The same thing occurred at a police station in Whitechapel, London. The people of Soham, eighty miles from Erith, heard a noise resembling thunder; and felt a shock, which they attributed to an earthquake. The sound of the tremendous report spread even further, for it was supposed to be distant thunder at a place ninety-four miles away. In the Crystal Palace, in London, some doors were violently forced open, and paintings knocked down from the walls.

The most remarkable effect of the explosion was upon animals in the large region around. The mortality among canary-birds for miles around was very great. They dropped from their perches, and died of fright, or of the concussion. Parrots were badly frightened, and dropped from their perches to the bottoms of their cages, refusing to speak for some hours. Dogs, cats, and other animals, manifested symptoms of the greatest alarm. For many miles from Erith, the cattle in the fields, at first struck dumb and motionless at the stunning report, presently set off in the wildest excitement, racing around the enclosures, and could not be quieted for some hours. Two women's dresses were seen to fall at Woolwich, four miles off, and a human finger fell at Deptford, about as far away.

THE BRITISH LAW OF PIRACY.

Bella per Emathios plusquam civitatis campos, Jusque datum sceleris cantibus.—LECAMI FRASERIA, Liber I, l. 1, 2.

It is one of the effects of rebellion that those who engage in it, or who sympathize with it, become generally unsettled in their ideas of law and moral obligation. At their entrance on that path they must begin, in the phrase of the Roman writer, to mingle all things, human or divine, *omnia divina et humana miscere*. We have repeatedly seen this illustrated in the reasonings of Southern Rebels, and their friends in this country and abroad. Thus they profess that the contest is a public war between a new nation and the United States; but they propose to carry it on at all times and in all places, without reference to any political jurisdiction or civil or military organization, as a personal strife between individuals at mortal enmity, and relatively released from all the obligations of men in civil society. In the seizures of vessels on Lake Erie, on waters within the exclusive jurisdiction either of the United States or of the British provinces, and in the murders and robberies at St. Albans, Vermont, we have another illustration of the wild theory on which the mutineers, for such in fact they were, attempted to justify their felonious seizures of the *Chesapeake* and the *J. E. Gerrity*. The nominal leader of the band which plundered the St. Albans banks, stole horses and fired upon peaceful citizens, sets up a Confederate commission as giving their acts the character of a legitimate operation of war, and his argument is neither better nor worse than that upon which it was urged that the seizure of those vessels was a belligerent act. In regard to those cases we maintained, that, to have authority to use force as a belligerent instrument, something more than a commission is necessary; that the commission must be held in a place where the belligerent giving it has a jurisdiction known to international law, before the person holding it can do any act of lawful war. Thus we argued that, at sea, the commission must be held on board some vessel belonging to the power which issued it, before the holder can board and enter the vessels of the enemy with the power to use force therein, resulting in the legitimate capture of such vessels. In land operations the commission gives authority to individuals who organize as a military force within the territorial jurisdiction of the power granting the commission, and, when so organized, they may carry the personal jurisdiction of the same power into an enemy's country; whereupon they may there use force as belligerent instruments. Whatever exception may exist in the case of privateers, it is certain that a belligerent land force cannot be organized on neutral soil. In the instance of the *Chesapeake*, the professedly commissioned Confederates were within the jurisdiction of the United States from the time they left our harbor until they reached the British jurisdiction. In the Vermont case, the aggressors, starting from British soil, and coming into that of the United States, never stood where the Confederate commission could be of the least validity. The subject of one belligerent power who enters the territory of the other belligerent, is subject to its jurisdiction, whether he is or not commissioned, unless he enter as part of an armed force, starting as such from the territory of their own sovereign, and sustaining themselves as such against the local jurisdiction. His allegiance to his own sovereign does not exempt him from this jurisdiction, and it is absurd to suppose that it is optional for his own sovereign to exempt him from this jurisdiction by giving him a commission, or by any other act. Ambassadors are the only exception to this rule of war as well as of peace. It is a mistake to suppose that persons can be commissioned to carry on war individually. They are commissioned as portions of certain organized forces; either land or sea force. There can be no such force on the open sea, if there is no vessel in which it may float, and there can be no such force on land which belongs to a neutral, nor even on land which belongs to the other belligerent, unless, as such force, it has invaded this land, bringing the belligerent jurisdiction. If it could be admitted, as an extreme case, that a large number of persons in the military service of a belligerent power, surreptitiously, and as individuals, entering the territory of the enemy, and there assembling and organizing under their commissioned officers, might be treated as a legitimate force, it could only be under the supposition that they should be able to maintain themselves for some time, and openly, by force, and as a military body upon the hostile soil. Until they should constitute such a body they would not be distinguishable from the inhabitants; and the case would, in fact, be like a military rising of the inhabitants in favor of the belligerent enemy. And whether they should be treated as ordinary criminals, or as rebels and public enemies, would depend upon the extent of the rebellious rising.

But the Vermont case was not on such a scale as to offer any parallel with this. The best argument which these raiders, as they have been called, could offer in the Canadian court against our demand for their extradition as fugitives from justice, we think, would be, that they were in the position of the crew of the *Alabama*, who being on

board a vessel which left Liverpool under British jurisdiction, and which never changed that jurisdiction by any transaction known to the law of nations, committed many robberies at sea on board of American vessels, and who were yet regarded by the British authorities as legitimately in the service of the Confederates, and who, as such, received the sympathy and assistance of many British neutrals. There is a real parallel between the cases.

We do not perceive how the English authorities may be able to avoid making extradition in the present instance. In the cases of the *Chesapeake* and the *J. L. Gerrity* we were told that the aggressors could not be given up to us because they were pirates *jure gentium*, and, as such, triable within the British jurisdiction, as well as in our courts. We suppose that this argument cannot be used in this case, if, as is generally supposed, piracy, to be such, must be an act done on the open sea. If the raiders, in their retreat into Canada, resisted the local authorities, and even, as reported, killed a Canadian constable or other officer of the law, perhaps it may be held that those charged with this act must be tried in Canada before they can be delivered up to us. If there is any statute law of Canada like the British Foreign Enlistment Act, which we believe applies only to the British isles, it might perhaps be urged that they are to be tried in Canada for violating such statute.

The opinions of the Court of Queen's Bench, May 24th and 25th, 1864, on the case of those who seized and carried off the *Joseph L. Gerrity*, have been recently re-printed in the *Monthly Law Reporter*, published in Boston, in the number for July. We find the Court, consisting of the Chief Justice and three associates, agreeing that the act, if a piracy at all, was a piracy *jure gentium*, which, as such, was punishable in England; and not an act of crime within the exclusive jurisdiction of the United States to which the vessel belonged. While a majority, consisting of the three associate judges, against the Chief Justice, held that the treaty applied only to acts within the exclusive jurisdiction of one of the two countries. On this ground the prisoners were discharged from the custody under the Secretary of State's warrant. We hope our Government has protested or will protest, if not against this reading of the treaty, at least against this doctrine of the Court that acts such as that charged are not within the exclusive jurisdiction of the nation to which the vessel belongs. Perhaps such protest could not well be made in connection with this particular decision; for it seems that the American Consul, called *Federal Consul* in the report, "applied to the Secretary of State for a warrant for their apprehension, with a view to 'their being delivered up to the American Government as 'having committed piracy within the jurisdiction of the 'United States,' but, apparently, without distinguishing whether piracy *jure gentium* or piracy under our statute was charged. The warrant issued by the Secretary stated that the men were 'charged with the crime of piracy on the 'high seas.'" The counsel for the prosecutors also appears to have argued only to the point that the words of the treaty include piracy *jure gentium*. We think this failure to charge the act as a crime within our exclusive jurisdiction, and a piracy by our statute, and not *jure gentium*, was unfortunate; and, as the case of the *Roanoke* may give us the opportunity, we hope our Government will take the occasion to insist that these acts are within the words of the treaty—"committed within the jurisdiction of either," even if those words do mean committed within the exclusive jurisdiction of either, and so do not include piracy by the law of nations, because that is within the jurisdiction of every nation. We think that a positive refusal to give up the parties charged with such acts would justify our Government in giving notice for the rescission of the treaty.

As we urged on a former occasion in reference to the case of the *Chesapeake*, we contend that these acts were not piracy *jure gentium*; and this for the very reason that they were committed on board a vessel belonging to the United States, by persons who did not board and enter that vessel, bringing with them any other or hostile jurisdiction, belligerent, or piratical; if we may speak of piratical jurisdiction as meaning the authority of pirates on board a vessel of their own, and disclaiming any nationality. The English court in this case declares that the fact of this act being done altogether on board an American vessel, does not make it any the less a piracy *jure gentium*, if a piracy at all. This ruling is probably based upon the ordinary modern definitions of piracy by the law of nations; such as that of Judge STORY in 5 Wheaton, 162: "It's true definition by the law 'of nations, is robbery upon the sea," or that of Sir CHARLES HEDGES, in *Rex v. Dawson*, 5 State Trials: "Piracy is only a sea term for robbery; piracy being a robbery 'committed within the jurisdiction of the admiralty," or of Sir LEOLINE JENKINS, "a robbery when committed on 'the sea is what we call piracy." It is true enough that piracy, that is, every piracy, by the laws of nations, is either a robbery or murder on the high seas. But we contend that robbery and murder, that is, every robbery and murder on the high seas, is not piracy by the law of nations. The records of the English and American Admiralty Courts

would show that this is a distinction practically accepted. We contend that to constitute piracy by the law of nations the act must be committed by persons who are, not only on the open seas, but beyond the jurisdiction of any particular nationality. They must either be on a vessel of their own, disclaiming all national jurisdiction; from which vessel they may board, and enter vessels which are sailing under the jurisdiction of some nation, thus carrying their *no-jurisdiction*, or *pirate-jurisdiction*, into the latter, as the armed forces of one belligerent may carry the jurisdiction of their own sovereign into the soil, and upon the vessels of the other belligerent; or, if the persons who commit the robbery and murder have done it on board a vessel upon which they sailed out to sea under the jurisdiction of some one nation, they must have done it with the intention of casting off all national jurisdiction, and of making predatory war against the world, becoming *hostes humani generis*, as pirates have been called. In this case of the *J. L. Gerrity* we find that the judges support their view of this case by saying that the act was not done *animo bellum gerendi*, as the men themselves claimed, but *animo furandi*, for private gain. But this, we contend, was not sufficient to make a piracy *jure gentium*, unless there had been a general *animus furandi*, not directed exclusively against this American vessel. The judges had no warrant in the facts for such a view of the act, when it was professedly done in the interest of the Confederacy, by persons claiming to be citizens of our Southern States. When a seaman on board a vessel kills a shipmate in a fit of passion, he is not convicted as a pirate by the law of nations when the vessel comes to land; yet he must be one according to the ordinary definitions of piracy by the law of nations. In 5 Wheaton's Reports, in a note of several pages, to The United States v. Pirates, the reporter has given a number of citations from the Roman law, the modern civilians and common law authors, and this note is often referred to as the best existing exposition of the doctrine of customary law, as to piracy, by the law of nations. On reading and comparing these authorities we think it will appear that the earlier writers, down to the time of Sir CHARLES HEDGES, and Sir LEOLINE JENKINS, above cited, had that conception of piracy for which we have here contended, as distinguished from that conveyed in the ordinary definition. In the case of the *Chesapeake*, the *J. L. Gerrity*, and now again in the case of the *Roanoke*, since it seems that Lieutenant BRAINE again appeared as the leader of the act of violence, the aggressors cannot without some new proof be held to have acted *animo furandi*, nor was there any indication that they meant to rove the seas, in the captured vessel, for plunder, not even of American merchantmen. They claimed to be engaged in a legitimate operation of war, and that the belligerent Confederate jurisdiction had by their act been generated, so to speak, on board the vessel. But the English judges did not accept this view of the facts, though they did not repudiate the theory of the prisoners. But if these persons did not thus effect a change of jurisdiction, or did not intend to cast off all national jurisdiction, and sail on their own private account, they must have remained under the jurisdiction of the United States.

In the *J. L. Gerrity* case the Lord Chief Justice alone held that the treaty includes piracies by the law of nations. He, with Mr. Justice SHRE, also held that the prisoners should be taken *prima facie* to have acted *animo furandi* and for private gain, rather than *animo bellum gerendi* and with the purpose to aid the cause of the Confederate States. But it deserves the serious attention of our Government that some of the judges expressly stated that if the prisoners had had a *bona fide* intention of assisting the Confederate cause, they could not be treated as criminals.

COCKBURN, Lord Chief Justice, said: "As to the other question whether, supposing piracy *jure gentium* to be within the act, there was sufficient *prima facie* evidence of it. I agree in everything Mr. JAMES [the counsel for the prisoners] said as to acts done with the intention of acting on the behalf of one of the belligerent parties; and I concur in thinking that persons so acting, though not subjects of a belligerent State and though they may be violating the laws of their own country, and may even be subject to be dealt with by the State against whom they thus act with a rigor which happily is unknown among civilized nations in modern warfare, ['A hit, my Lord! a very palpable hit!'], yet if these acts were not done with a piratical intent, but with an honest intention to assist one of the belligerents, such persons cannot be treated as pirates." Mr. Justice BLACKBURN said: "But though the Confederate States are not recognized as independent, they are recognized as a belligerent power, and there can be no doubt that parties really acting on their behalf would not be criminally responsible. But the case is either one of piracy by the law of nations—in which case the men cannot be given up, because they can be tried here—or it is a case of an act of warfare, in which case they cannot be tried at all."

The two other judges did not say anything to the contrary, and rather lean the same way. This for a modern illus-

tration, with a vengeance, of the words of the poet of the Roman civil contest—*jus datum sceleri*, "legal rights accorded to crime" by civil war! If such a doctrine should be accepted by the English Government, and it would be obliged to accept it if the law courts should solemnly determine it so, the treaty ought certainly to be rescinded by us.

Why will not the same doctrine apply to the Vermont case? We may expect that the counsel for the prisoners will make much of these utterances of the Queen's Bench.

We have not space left to consider the question which has been raised as to our right to pursue into neutral soil, and there, without application to the local authority, to seize and carry back these raiders. It is now too late to discuss the law as it may affect this particular case in Vermont and Canada; unless the British Government have made some complaint; as to which we are not informed. Such a right to use force on neutral territory can only subsist while the unlawful force to be repressed is threatening invasion from the neutral district, or is actually retiring into it, after invasion; still preserving the character of armed force. The right will not extend to seizing and removing the persons of the individuals engaged, after they are dispersed. But we think it clear, on the doctrine maintained in McLeod's case, when the *Caroline* was destroyed on Niagara River in New York jurisdiction, that we had the right to meet or pursue these armed raiders into Canada either to prevent aggression or to recover the spoil of their robberies, and to bring them off as our prisoners, if taken in pursuit instituted *flagrante delicto*.

THE CARE AND DISCIPLINE OF TROOPS.

NUMBER IV.

HAVING now given, in what has been said on the formation of a good regimental *cadre*, and particularly on the education of good non-commissioned officers, what may be called the *machinery* for the proper discipline and care of troops, it may not be amiss to mention some points in addition to those given in the Army Regulations which tend to promote these objects.

"STAND—ATTENTION!" is a most important foundation stone. Whenever an officer in his military capacity has anything to do with a soldier, the latter should fully assume the position given in the tactics, and fix his eyes upon him. The real aim of this rule is not a mere manifestation of proper respect, but securing the undivided attention of the soldier, attention which in an accustomed, easy posture he might not, even when willing, give so completely. Not only when receiving orders or expressions of praise or blame as an individual is attention to be secured, but a strong habit is to be formed, which will not fail of its results on the drill-ground or the battle-field. *Attention and silence* in the ranks are utterly indispensable for the handling of troops, and few things produce such disorder as listlessness on drill, and talking when coming into action. Rules may vary as to what is considered a call upon the attention of soldiers, but whenever an officer's presence has any direct reference to them, as on entering a tent, and the like, they should rise, &c.

Whenever an order is given, a report should be made as to whether it has been successfully executed or not. Thus an orderly sent for a soldier should come back and report that he has delivered the message, even did he see the man already on the spot. This not only secures execution, but recalls to the officer every direction he has given, some of which might otherwise in a press of business escape his memory.

It is a good custom that all the officers come to the Adjutant's office and read over the orders published on parade, and that they sign their names as evidence of having done so. In this way not only are those present left without excuse for not understanding the orders, but those absent are compelled to keep themselves informed.

Among the sergeants' report to the sergeant-major when called together, should be one to the effect that they have explained to the men under their charge all orders which particularly concern them. That the sergeants comprehend them is the sergeant-major's business.

Whenever anything arrives in camp, whether rations, ammunition, or sutler's stores, the person in charge should always before unloading report at the guard, where the officer should at once furnish one or more sentinels over it, with orders to allow no loungers to approach within half a dozen yards.

In every company street, a place should be fixed where all orange-peel, pieces of paper, bones, &c., &c., are to be at once taken. By preventing the idle habit of throwing such things about, the camp will be half policed. Half an hour or more carrying the log is a very good reminder of the careless, when they are discovered, and all non-commissioned officers happening to be in the vicinity should be made responsible for the detection of offenders.

No less is the checking of all extraordinary boisterous conduct a preventive of worse evils. There will probably not be more than half a dozen men in the regiment who take any pleasure in making themselves thus obnoxious,

and, like all indulgences which are a greater nuisance to the neighbors than pleasure or good to the perpetrators, it should be put down with an iron hand.

All measures for securing health, cleanliness and quiet, which are meted out to the privates, should be not less strictly enforced with the officers, who are also responsible for the good conduct of their servants, and for the care taken of their own tents and vicinity.

If it be necessary to arrest men from other regiments for disturbance, they should be sent, not to their colonel, but to the next highest officer common to both regiments. Thus, if of the same brigade, to brigade headquarters for punishment; if of another brigade, likewise to brigade headquarters for transmission to the proper authority. A written accusation should always be made out, and the prisoner sent with a guard who bring back a receipt for him.*

All men returning from furlough or coming from general hospitals should be examined by the surgeon previously to being sent to their companies. The surgeon should for some time keep his eye on all convalescents.†

It would be vain to attempt enumerating the various dodges with which some old soldiers puzzle their commanders, and the liberties taken by some new ones before becoming sensible of discipline. Constant watchfulness, and the aid of a kind but skillful and conscientious medical officer, are the only remedies for the former. Laziness, which is often the cause, must be met by inventing other work, which, although it render the excuse nugatory, is even more distasteful than the duty avoided. Where stupidity is supposed to be feigned, extra drill in what are named "awkward" or "half-witted squads" is often effectual. Offenders of this kind are, however, in most regiments of our volunteers so few, that, could it be done without offering a sort of reward for such conduct, the better way were to send them home. Still a few are found, and since they must be kept, they should not be allowed to infect the well-meaning. The pranks of new soldiers, such as answering for each other at roll-call, and many others, which are often mere school-boy tricks, will soon disappear when the men find that they cannot be played with impunity. Some things, too, are done by very good soldiers, which, though prejudicial to good order, they do not consider "exactly" wrong. Men on a march will empty their full canteens in which the water has become a little warm on to the ground, for the simple purpose, under pretext of having drunk the contents, of making excuse to fill them with cold water at the next spring. When tired, they will at some halt "forget" the axe or spade which they were carrying, and sometimes appropriate an unmarked tool (Government property) from another company as soon as needed at the nightly halt. Having in every case distinctly recognized persons to whom the commanders may successively look as responsible for allowing an offence, is the true arrangement for preventing all these. In military life everything is superintended. Of course delinquents should always be charged with tools which they lose, or cartridges unaccounted for; and remaining thirsty until the canteens are theoretically empty, soon cures the wastefulness of water, or induces the men to fill them with cold coffee.

The instruction of non-commissioned officers should embrace a knowledge of the various little observances which tend to preserve the health of the men, and they should look to the manner in which those in their charge pack and sling their knapsacks, put on their equipments, &c. If the colonel, however, finds any of these things wrong, he calls the company commander to account.

No private property of any kind provided by Government should be allowed, such as axes, &c. It creates confusion, and sometimes furnishes a cover for stolen goods.

New shoes should be worn a few times, and not left to become fitted to the foot on a march. Quartermasters, if they can manage it, will do well always to have on hand an abundant supply of woollen socks.

The surgeon's duty is not merely to attend the men when sick, but to aid in preventing any physical disability. The prevention of sore feet is a most important point for his advice, and on every subject relating to the health and bodily condition of the soldiers the commander should call him into daily consultation.

See that all articles injured or lost for want of due care are charged to the men responsible for them; where an article is in charge of a squad, its loss may sometimes be divided among them. A Board of Survey (Army Reg. §1019) is the proper mode of settling these questions of accountability when there is the least doubt, and there is no other way so sure of making the men careful as rigid exactness in this respect.

Every duty should be performed in soldierly style. No

* It would add vastly to discipline in our Armies if in campaign there were a guard at every division headquarters, charged with keeping and carrying out the punishment of all prisoners whose cases cannot easily be administered in the regiment. Not only would numerous details for watching them be spared by such a concentration, but the prisoners could be sheltered and kept in good condition for again entering the ranks, a thing often out of the question when with their regiment. In this, as in innumerable other things, our Army feels the want of a *Gendarmerie*, or regularly organized army police force, horse and foot.

lounging, disorderly walking, even to police duty, permitted. Position of the soldier, parade rest, marching, breaking off into detachments, should all be performed as if the business were of a more serious kind. By thus making a soldierly performance of everything the constant aim, it becomes the fashion. Every one knows how standards of what is desirable and admirable grow up in civil life from long continued custom. The colonel should in every way endeavor to bring the same potent former of taste and inclination into play in the regiment.

Whenever any circumstance is investigated, it should be probed to the bottom, and the result carried out to its consequences. Beginning an inquiry as to who was to blame and then dropping it, has an ill effect on army discipline beyond reckoning. The bad fruits will crop out interminably, and perhaps even bring the responsibility of human lives on the officer who has authorized the course. Men never voluntarily put their fingers into the fire, because they are sure to be burned; nor does any one acquainted with a chopping machine put his fingers between the revolving knives, because there is no chance but that they will be cut off. Yet, were there such a chance, or did some fires not burn, there is no telling what many would venture. A strange fascination akin to the charm of gambling attends all chances, and where they calculate on one possibility in a hundred of escape men will risk anything. A dead certainty, however, or what they esteem such, keeps back even the most reckless.

One of the first questions in all investigations is, "Were orders obeyed?" in a prompt and reasonably intelligent manner. This comes up before any reclamations for bad treatment or any excuse for conduct. Orders may, indeed, sometimes be flatly disobeyed, on very rare and clear occasions, but even then only the happiest final results should save from punishment, and this escape must stand for the reward.

All parties, however small, should be under a non-commissioned officer, or at least under the highest numbered private as the responsible head.

For the purpose of producing a neat appearance, it is a good plan to direct that in the tents all articles shall be laid either parallel with or at right angles to each other. Beds, &c., should be so arranged that there are no "cubby-holes" where refuse may lie concealed, and that when the order is given to open tents for inspection, everything may lie exposed to a single glance of the officer's eye.

The utmost respect to all sentinels should be exacted, whether from officers or men. So far as carrying out the orders he has received is concerned, a sentinel is superior to all, excepting those from whom he has directly or by construction received those orders.

Cleanliness, cutting the hair, and many other things will readily present themselves as objects for attention. In short, the soldier, whether private or officer, is, for the period he remains in service, the property of his country. The officer is turned more upon his own conscience as to the manner in which he preserves his military morale, his health and his mental capabilities, but for the private his officers are answerable, and nothing that reasonably tends to preserve his health or efficiency is beyond the control or out of the accountability, moral as well as legal, of those officers. The means to attain these ends are discipline, as we have explained it; if this be neglected, no other means will suffice. As to those parts of the Army Regulations which relate to the administrative departments, they may be open to criticism, but in regard to those which relate to interior discipline, guard duty, outposts, parade, salutes to officers, care of a company, &c., they are, by the universal accord of all nations, the mode, not simply a mode of producing an efficient army. They are the results of ages of experience, campaigns and battles without number; they are founded on the characteristics of human nature and the inevitable workings of men in large masses. Not a jot nor a tittle can be taken from their exercise without some detriment to military efficiency.

So much is to be done in regiments which, as is the case with the greater part of our own, have to be instructed at the same time that they are in active service, that general headquarters should trouble them for papers as little as possible. It is too much the custom to cut any perplexity short by sending an order for a report which will occupy hours in the making, perhaps interfere with a drill, when the staff might have gone on without it, or found the materials for themselves by a little extra work.

Much has been said of the advantages of a West Point education. If it is supposed to include any extensive reading of military works, the mistake is great. Four years, commencing commonly at sixteen, a large part of which is devoted to mathematics and their kindred sciences, give little time for such reading. The possession of a thorough knowledge of elementary mathematics is common also to many civilians. The two real advantages are, first, habits acquired in early life, which give an appreciation of discipline as to its essentials, the importance of its minutiae, a faith in its effects and an acquaintance with

the word *MUST*; second, the study of those parts of the science of arms which constitute its A B C, at a like early period. This study resembles the A B C of the primer. A revolting drudgery to many minds, it is best gone through with before life is fairly entered upon. When begun later, it will likely be more or less shirked, and the want of a thorough basis will give a superficial character to after practice. Were the cadets to enter at twenty-five, their military education would lose one-half its value. Still, the medicine can be swallowed, and would be, by a great part of our volunteer officers, with a little pressure from their superiors; but, as we have said before, a great and crying evil has, from the beginning, been the want of instructors. The Army should from the first have been a great military school. There might have been at least one officer, thoroughly acquainted with military art, assigned to each brigade headquarters, not for command, but as a sort of professor to whom all the field officers should go to ask for explanations of their text books.

We have confined our illustrations to a regiment of infantry, but the *spirit* of the discipline and care of troops is the same for all arms: an additional column or two for horses, &c., would fit the tables for cavalry and artillery.

We cannot conclude without quoting the remark of a legal friend: "The great deficiency of the American character in a military view is, so far as I understand the case, 'a dislike to accountability.' They dislike being accountable 'in their own persons, and continually shrink from exacting sharp accountability from others.'" How many passages in our present war have already illustrated this? How often is the country satisfied with a verdict of "accidentally mismanaged by somebody not mentioned?" Whereas, the essential organism of military affairs is, that everything belongs to the responsibility of some definite person, and that when things go wrong the appropriate person is called to account. What the punishment shall be depends on circumstances, but the case should always be traced and the responsibility exposed. Those who commute or remove the punishment, take, then, in their turn, the responsibility to their superiors or to the Nation for the effect of such laxity in discipline on the efficiency of the Army, and the extra number of lives necessary to terminate the war.*

IMPORTANT PRIZE DECISION.

CASE OF THE *ELLA AND ANNA*.

We noticed in a recent number of the *JOURNAL* the decision of Judge SPRAGUE in the United States District Court in the case of the *Ella and Anna*, and remarked the very important interpretation which this decision gives to the meaning of the phrase "signal distance." The statute of 1862, chapter 204, section 3, gives vessels of the Navy within "signal distance" at the time of capture a right to share equally with the captors in the prize. The case of the prize steamer *Cherokee*, which we reviewed at length in these columns on January 16, furnished one valuable construction of these words, and the present decision is still more interesting and important to naval men. The opinion of Judge SPRAGUE is now made public, and presents many points of interest. The case was fully argued, and is said to have been more hardly contested than any other case of distribution yet tried in our Admiralty courts. The facts of the capture were as follows:—The *Nippon* steamer, commanded by Lieutenant BRECK, was lying off Wilmington on the morning of the 9th of November last, at a short distance from shore. At about twenty-five minutes past five o'clock, when it was so dark that a vessel was visible only close at hand, she discovered a vessel running down the coast very near the beach. The *Nippon* at once steered toward the shore to cut the stranger off, and fired at her from the bow, and, when quite near, from the broadside also. The stranger changed her course, and bore down on the *Nippon* in the attempt to run her down by striking her amidships. Both vessels were at full speed. The commander of the *Nippon* immediately ordered her helm hard to starboard, and so changed the *Nippon's* course as to be nearly in the same direction with that of the stranger. They struck at the bows, and at once a part of the *Nippon's* crew leaped on board and carried the strange vessel by

boarding, in gallant, old-fashioned style. The stranger was captured within ten or fifteen minutes after she was first discovered, and proved to be the *Ella and Anna*, an iron steamer of about a thousand tons burden, with a full cargo. She had forty pounds of steam on, and several hundred pounds' weight on her safety-valve, and was going at the height of her speed. The *Nippon* was an iron-framed, wood-planked steamer of five hundred tons burden, and would probably have been run down at once had she been struck amidships; and she was where there would have been almost no chance of saving even her crew.

The capture was made at night, with a hazy horizon. No signals were made, and it was not contended that either of the other ships was in sight, or that there was any direct evidence in their favor. No other blockading vessel was seen by the captor or the prize, nor did any other vessel see them until the *Nippon* appeared in company with her prize when day dawned. No encouragement was given the friend, and no intimidation was caused the enemy, by the presence of others of the squadron, for none were visible, or were known to be near, by either friend or enemy. How near the other vessels were, is very uncertain, and was only decided by the court after weighing evidence which was very conflicting. The capture was made off Masonboro' Inlet. The *Shenandoah*, the nearest vessel, was about five miles off shore and at least eight miles south from the Inlet at that time. The *Nippon* fired seven guns during the chase, thirty-two pounders and a rifled twenty pounder, but their reports and flashes were not heard or seen. The *Daylight*, the *Tuscarora* and the *Houqua*, the other vessels which claimed to be within signal distance, were still farther off, and if the *Shenandoah* was not within signal distance, none of the others were.

Upon these facts Judge SPRAGUE, after examining the theory of constructive captors and fully reviewing the English decisions and the charges in English and American statutes, decided that those who claim to share equally with the actual captors, must produce evidence to satisfy the court, and make it reasonably certain, that they were within signal distance. The burden of proof lies on them, and "reason and policy dictate that no part of the prize should be taken from those whose vigilance, energy, skill or courage achieved the capture, to be given to others who contributed no assistance, and were so remote as to render it very doubtful whether a request for aid could have reached them, if aid had been desired." Remarking that no case had arisen in that court, where the evidence was so multifarious and conflicting, or which required so close a scrutiny into the principles of true construction of the provision of the new law, he inquired what signals are sufficient. We quote the language of the Court:—

"It has been contended in this case, and in prior cases, that signals by guns or rockets answer the requirement of the statute. Without undertaking to decide that a code or system of such signals may not be invented and adopted, so as to answer the purposes of the law, it is sufficient to say that the evidence does not show that any such system has been established. This capture was made by one of the blockading squadron off Wilmington, N. C. It appears that the commanding officer on that station had given instruction to the vessels of the squadron that, upon discovering a blockade runner, a rocket should be thrown up in the direction in which she was going and a gun fired to attract attention. This is the extent to which any particular meaning was attached to those acts. The direction of a rocket indicated the course of a blockade runner. A gun was to be fired, but without any special significance, and having only its natural effect of arresting attention. The most that can be said is, that by these means notice was given that there was a blockade runner going in a certain direction, but they were not signals by which there could be any intercommunication. There was no recognized mode by which a vessel seeing a rocket and hearing a gun could return any answer, even to the extent of making known the fact that they were observed. If a vessel should throw up a rocket or fire a gun under these instructions it could not be construed into an acknowledgment of the notice, but the meaning would be that such vessel had discovered a blockade runner taking a certain course, and wished to attract attention.

"In the case of the *Aries* (26 Law Reporter), it appeared that the commander of the blockading squadron off Charleston, S. C., had given orders that a rocket should be thrown to indicate the direction in which a blockade runner was going, and that if two guns were heard, in quick succession, it was the duty of the vessel hearing them to go immediately and ascertain the cause of the firing. This went somewhat farther than the instructions to the squadron off Wilmington. Yet, in that case, I held that no such system of signals by guns or rockets had been established as would meet the requirements of the statute.

"Lanterns have been spoken of by several of the witnesses as being frequently used. But it is admitted that they cannot be seen as far as Coston's Lights. It is unnecessary, therefore, to make any remarks respecting them. This capture was made at night, and the result is that the only signals which can be regarded in the present case are those denominated Naval Light Signals, that is, Coston's Lights.

"The next inquiry is, from what part of the vessel must the signals be visible? Is it sufficient if they might be seen from the masthead and not from the deck? It is a great privilege to any vessel to be allowed to share in a prize which she has not actually aided in capturing. Such indulgence is not to be granted without good reason. It ought not to be enjoyed by any vessel unless she is within

* In looking up some manuals which may supply the hiatus in the Army Regulations, we have been much pleased with "The Customs of Service for Non-Commissioned Officers and Soldiers," by General A. V. KATZ, and with a "Manual for Cavalry Routine Duty," by General W. L. ELLIOT. The article in the *ARMY AND NAVY JOURNAL* for September 24, "Cavalry and the Management of the Horse," is also excellent. The French have two little books, "Interior Service" and "Service in the Field" (of the latter, one for infantry and one for cavalry), which contain almost everything. Of these, the latest editions are not six inches by 4½ in size, and the former ones were no larger than a ten cent pocket Testament. The additional subjects introduced into the new editions of the French books hardly make up for the small increase of size mentioned; but our Army Regulations are 7½ inches by nearly 6½ inches thick, and an officer using them reminds one of English travellers on the Continent, who, it is said, may be known by the big, red-covered MURRAY'S Travellers' Guides which they constantly carry and consult.

Pages 71 to 120 of the Army Regulations are none the better for being a somewhat abbreviated transcript from the French "Service en Campagne;" and we could desire to see our Army furnished with books bearing in some way the authority of the War Department, and of convenient size; books in which each officer is not obliged to carry about an imperfect account of the duties of every other officer, but a full account of his own. General KATZ's little book, the "Company Clerk," is most complete as to the bureau duties of a company.

such distance as gives assurance that she would render actual assistance if called upon, and could afford encouragement to the captors, by their knowing that such assistance was at hand.

"On board of a vessel at sea there is at all times kept a watch on deck, composed of some of the officers and a considerable part of the crew, some of whom are specially designated as the lookout, and all are required to be vigilant. In a well-ordered ship, a light exhibited in any part of the horizon would be immediately discovered and attended to. A man may indeed be sent aloft and stationed there as a lookout, but this at night is exceptional; and if by such means a signal should be discovered, which could not be seen from the deck, still it would not avail unless there should also happen to be a man at the masthead of the capturing vessel who should see the signals made in response. The possibility that signals might be interchanged in such manner does not answer the purpose of the statute. It does not give adequate assurance that if the capturing vessel had shown the usual Coston's Lights they would have been seen and read, or, if seen, that the answering signals, made in the usual manner, would have been discovered and understood by the capturing vessel, so as to give her that encouragement and confidence which the knowledge that assistance was at hand might inspire.

"I am not speaking of a case in which signals are actually interchanged and seen and understood by means of persons at the masthead of both vessels. I have no occasion to consider and express an opinion upon such a state of facts. In the present case, no signals were made. (In England, a vessel being visible from the masthead only, although actually seen from that position, is not deemed to be in sight so as to be entitled to share in the prize.)

"Another question has been presented. Some of the witnesses from the petitioning ships say that under the most favorable circumstances Coston's Lights may be seen nine miles, and thence infer that signal distance always means that number of miles.

"This is founded on the assumption that signal distance is a certain number of miles, and is applicable to all cases, without regard to the state of the atmosphere or other obstructions in the particular instance. This is an error. The statute confers the right of sharing in the proceeds upon any vessel of the Navy which 'shall be within signal distance of another making a prize'; that is, if she be within signal distance of that vessel at that time. If the state of the atmosphere, from fog or haze, for example, is such as to prevent signals from being seen, neither the language nor the reason of the statute is satisfied. Of what benefit would it be to a capturing vessel that another should, without her knowledge, be within a certain number of miles, but to which she could make no communication, and from which she could receive no encouragement, by promise of assistance or otherwise?

"The question, then, is reduced to this: If, at the time of making this capture, the *Nippon* had made signals by Coston's Lights in the usual manner, were these petitioning vessels or was either of them, within such distance that such signals could then have been seen and read from her deck or top-gallant fore-castle?"

The Court then considered whether the *Nippon* could, on the facts, be said to be within such distance that such signals could be read.

As to the question how far Coston's signals can be seen at a time like this, each party offered testimony from three officers of the Navy, as experts, and the testimony of the six was before the Court and fully considered. The important question put was, "Suppose the signals given to consist of two or three colors and to report several numbers 'in succession, please to state how far, under the most favorable circumstances, such signals can be read and understood with satisfactory exactness?' The learned Judge said the experts differed as much as the parties. Three of them limited the distance to between four and five miles. One put it as six miles, and two at between eight and ten miles. The three who had had most experience of Coston's signals put the distance at four and a-half, five and six miles as the extreme. On the whole, the Judge was of opinion that it was not satisfactorily established that Coston's signals could be read and understood, under the most favorable circumstances, at a distance of eight miles, and that was the least distance at which any of the petitioning vessels were proved to have been. He gave no opinion at what less distance they could be read.

The result of the testimony was, that the *Shenandoah*, the nearest of the petitioning vessels, was at least eight miles distant. No signals were in fact made; and it was not established that Coston's signals could be intelligently read at that distance, under the most favorable circumstances. Moreover, the circumstances were not favorable, for the witnesses from the *Shenandoah*, as well as the *Nippon*, showed that there was a haze along the horizon, which the expert said contracted the distance for intelligent vision of colored lights.

The petitions of the *Shenandoah*, *Daylight*, *Tuscarora* and *Houqua* to share in the prize were therefore rejected, and the net proceeds adjudged one-half to the *Nippon* and one-half to the United States.

RICHARD H. DANA, Jr., appeared for the *Nippon*, W. A. FIELD for the *Shenandoah*, and C. C. DANE for the *Tuscarora*.

Since her capture and entrance into the United States service, the *Elia* and *Anno* has retaken the Portland steamer *Chesapeake*, which was cut out of Portland harbor, and is now under the name of the *Malvern*, the flag-ship of Rear Admiral D. D. PORTER, of the North Atlantic Squadron.

Dr. Clarence Ewen, of New York, has been appointed an Assistant Surgeon of the Ninth U. S. C. T.

CORRESPONDENCE.

The Editor does not hold himself responsible for individual expressions of opinion, in communications addressed to the JOURNAL.

CURIOSITIES IN ARTILLERY.

To the Editor of the Army and Navy Journal:

SIR:—In last week's number of your journal there is an article (from DICKENS' *All the Year Round*) entitled "Leathern Artillery," in which the invention of a peculiar artillery, which rendered such service to the Great Gustavus, is attributed to one Colonel ROBERT SCOTT, an Englishman. The assumption of Englishmen would be amusing were it not so universal and arrogant as to become very disagreeable.

The claims advanced for this Colonel SCOTT are untenable, if disinterested military authorities are reliable. The testimony of Prussians in favor of an Austrian is certainly trustworthy; for if there are antagonistic classes they can be found among the officers of the single and double-headed black eagles.

First of all, before entering into the proof as to the inventor, let us consider some irreconcilable facts as to the invention. The English work claims that Scott's artillery were made of "hardened leather." "Of hardened leather he (Scott) constructed guns." The leathern, so called, artillery of GUSTAVUS were not made of that material. Leather was only an item in the construction account. There are two specimens of the ordnance in the Museum of Artillery at Paris, and at first sight the principal components would appear to be iron and wood. The specimens are numbered 5,261, page 134, catalogue of 1833. The writer has examined them. They are thus described:—

"Two very ancient cannons. The bore is of iron covered 'with wood. The whole strongly bound (or wound) with 'cord (or strong pack-thread) and covered with leather. They were in use in Sweden in the reign of GUSTAVUS ADOLPHUS."

So much for the proportion of leather in existing specimens. They belonged doubtless to the park of the famous Wamarian army formed by Duke BERNARD, of Saxe-Wiemar, which RICHELIEU "conveyed" and appropriated, men as well as guns, after the great Duke's untimely decease.

We now come to the description of these "leathern guns," which is translated from the "Popular Library for Officers," Vol. I, Part IV. "*Geschichte des Kriegswesens*," prepared and published at Berlin, by an Association of Prussian officers, in 1838. A translation first appeared in 1855 (page 166, &c.) in a biography of TORSTENSON, chief of artillery under GUSTAVUS ADOLPHUS, which was deemed by his majesty OSCAR I., king of Sweden, as worthy of a flattering acknowledgment.

"While the king (G. A.) of Sweden labored with successful results, giving more and more solidity, and at the same time mobility, to his cavalry and infantry, he also directed a particular attention to the artillery. * * * For its improvement the king availed himself not only of the experience of others (foreign as well as native), but particularly of that which he had acquired in so great a degree himself. The most important point, the king perceived, was to keep unceasingly before his eyes the necessity of an increased mobility in his field-pieces, which fact forced itself on his convictions in the Polish and Russian wars. For this reason he eagerly availed himself of an invention to that end, which had been discovered by Baron MELCHIOR VON WURMBRAND, by birth an Austrian, and previously an officer in the Imperial service. We allude to the so called Leathern Cannon. These consisted of copper, 15 calibre long, and 1 calibre thick, barrel or bore. The part which received the charge (the chamber, and perhaps the whole chase), was a little stronger, and a small iron barrel or pipe screwed into the copper barrel served as a vent. Behind the chamber, at the bottom of the bore, was a 1 calibre long piece of metal, with the cascade fastened to the bore with 6 screws. Over or around the chamber were placed strong iron rings. (Here we have a pointing as it were, to the very idea referred to in the ARMY AND NAVY JOURNAL of October 15, 1864—AMES & Co.'s wrought iron cannon, column 2, page 121.) At the vent the copper bore (or barrel) was rolled or turned up back (over the last ring). The barrel was smeared with mastic, then wound with cord and pack-thread, therewith the trunnions attached, and then the whole made smooth with plaister and covered with leather."

So that all that the leathern cannons had of leather, was the same that a hair trunk has of the same material, namely, a mere covering; consequently if Scott's leathern cannon proved there was "nothing like leather," and were constructed of "hardened leather," GUSTAVUS ADOLPHUS did not use them. The Swedish leathern guns were not those DICKENS' Col. Scott invented.

In this connection comes up the parallel question as to who invented the Shell Guns, we, the Americans, style Columbiads, and which the French call Paixhans, after the general of that name, whom they claim to have invented them. We claim these effective guns are due to Colonel BOMFORD, of the N. Y. Ordnance Department.

As to the whence of Columbiads there is a very curious piece of evidence in existence. In 1810, E. HOYT, Brigade-Major and Inspector of the Massachusetts Militia, published a very curious and instructive work entitled "Practical Instructions for Military Officers, &c.," to which is appended a Military Dictionary. At page 383, thereof appears the following:

"Columbiad—a gun of new construction lately cast at FAX-ALL's foundry on the Potomac. It carries a 50 lb. ball, and differs from the English carronade. It will carry its 'ball 600 yards and pierce through a breastwork thicker than 'the sides of a ship of the line, with the addition of eight 'feet of earth and fascines.—Dr. MITCHELL's letter on the 'Fortifications at New York."

The first Horse or Flying Artillery was used by the Great Elector of Brandenburg at the battle of Fehrbellin, in 1675, viz, twelve 3-pounders which kept up with his cavalry in that amazingly rapid march from the Rhine to the Rhin, extolled in history, poetry, and military annals. This was eighty-four years before General FOX says that FREDERICK introduced his flying artillery, whose first battery, proper, was organized in 1769. The first French attempt dates from 1763; the first Austrian from 1766. That the great

Prussian is generally conceded to be the father of horse artillery is witnessed by the adage that FREDERICK had given "wings to the lightning;" but that does not prove that he does not inherit the idea with his other genius from his great-grandfather. Another proof of the Prussian origin of heavy artillery is that LAFAYETTE, on his return from serving in our Revolutionary War, introduced it in France (as a fixed fact in contradistinction to an experiment?) If so, he doubtless learned its advantages from STAUEN or other Prussian officers in our Continental service, and may have witnessed its manœuvres on a small scale. Koscusko, who held a high position in the American army, and fought here, in the ranks of freedom, as well as in Poland, published in this country a *Tactics for Horse Artillery*, long since out of print. Meanwhile, Marshal Count SAXE had invented a light gun to accompany cavalry movements, styled Saxe's Amusettes (Trifles, Playthings, or Toy cannon). About the same time we read of Galloper guns and Curricule guns, now as much curiosity as the Leathern cannon which reared for the "Lion of the North." With a few gleanings in regard to these the writer makes his bow for the present.

According to several military dictionaries published about 1810, the "Amusette is a species of offensive weapon, 'invented by the celebrated Marshal SAXE. It is fired off 'in the same manner as a musquet, but is mounted nearly 'like a cannon. It has been found of considerable use during the present war' (between France and the European world, 1792-1810), 'especially among the French, who 'have armed their horse artillery with it, and have found 'it superior to the one adopted by the Prussians (from the 'original inventor). The bullet with which it is loaded is 'from 1½ pounds to 2 pounds weight of lead." "The 'Amusette is also described as a brass gun of 5 feet (length) 'carrying 1 lb. leaden ball, loaded at the breech;" also "1-pounder gun of 2½ cwt. and 5 feet long."

Galloper guns had nothing remarkable in themselves. The peculiarity was in the carriages. "Galloper carriages 'served for 1½-pounders (Cannon léger de l'artillerie a cheval, hors d'usage, BURNS)." These carriages are made with shafts, so as to be drawn without a limber. "The 'King of Prussia (FREDERICK the Great) once, in the war 'of 1756, mounted light 3-pounders on these carriages, 'which answered very well. This description of carriage ' (once in ordinary use) is now obsolete in the British service." "The horse artillery is an improvement of this 'method of the Prussians."

"Curricule guns are small pieces of ordnance mounted up 'on carriages of two wheels, drawn by two horses. The 'artilleryman (driver) is mounted on a box (as if he was 'driving an ordinary curricule) and the whole can be moved 'forward into action with astonishing rapidity." "The 'Tumbrils (Tumbrels, Tombereaux, Fr., covered ammunition carts. The writer, when a boy, has seen them in 'common use in the United States service or in arsenals) 'belonging to Curricule guns carry 60 rounds of ball cartridges. Great expectations were at one time had of this 'piece of ordnance, but it is not used any longer in the British service."

ANCHOR.

THE INSIGNIA OF RANK.

To the Editor of the Army and Navy Journal:

SIR:—Numbers 5 and 9, vol. 2, of your paper contain two articles entitled "Insignia of Rank." Both propose an alteration of the badges within the shoulder-straps of field officers of the United States Army. I would now beg your forbearance to hear my views on this matter.

If shoulder-straps must form the means to distinguish the commissioned officers (though, certainly, a great many people think them no very graceful adornment), let the rank-badges upon them be systematical and tasteful, as well as appropriate to the country whose defenders wear them. The five-pointed or American star in silver, as used in the flag of our country, is surely the most appropriate and appreciated badge which could be adopted. At present, the subaltern officers wear bars—bars, the hated emblems of the Rebel flag. They wear either no bar, which looks bare, or they wear one and two bars, which are not easily discernible from a distance or at dusk. The field officers, with the exception of the major, who wears gold, have silver ornaments in common with their superiors. Two grades wear oak-leaves, which are more a distinction for naval than military officers. The new soldier or the civilian (to which latter, at times, it is a matter of importance to distinguish rank) has to remember a combination of stars, leaves, bars, and buttons quite bewildering. Now, all this might be obviated by taking pattern of Russia, Austria, Prussia, Italy, Spain, and, in part, France and England, all of which powers have a regulated repetition of one, two, or three stars and crowns through the three grades of the three different divisions of rank of commissioned officers, which are alike in all armies. Thus I would propose for:

1. Subalterns, single-breasted coats—Second Lieutenant, one star; First Lieutenant, two stars; Captain, three stars.

2. Field officers, double-breasted coat—Major, one star; Lieutenant-Colonel, two stars; Colonel, three stars.

3. General officers, coat as prescribed—Brigadier-General, one star; Major-General commanding division, two stars; Major-General commanding corps, three stars.

The Lieutenant-General—coat as worn now by Major-Generals, three and three buttons, with shoulder-straps containing two crossed marshal batons, over which an American eagle in its flight. All these rank-badges to be in silver; but officers of the Quartermaster, Commissary, Pay, Judge-Advocate, and Medical Departments to wear them in gold, or vice versa, to distinguish them from the fighting line and staff. The cap ornaments would also be altered, changing the initials within the laurel-wreath of officers wearing golden stars in golden letters, as Q. M., C. S., P. D., J. A., and M. D., as the case may be. The Engineers to carry in silver their castle; the Ordnance in silver their granado; the Adjutants, Inspectors, and Aides with the Generals, the U. S. in silver; and the Signal Corps two crossed flags, also in silver. This arrangement, I should think, would answer all purposes of clearness as to rank and duties of the commissioned officers of the Army.

Allow me a few words about chevrons, the badges of the non-commissioned officers. As now worn, they certainly are too cheap-looking affairs. No soldier of experience doubts that the uniform and military etiquette are import-

ant means to create discipline and emulation; and no old officer denies to himself and others the fact that the non-commissioned officers are the pillars upon whom rest the spirit of the great rank and file. Therefore, it is proper to give to them an outward sign of appreciation, not alone through the respectful treatment they are entitled to by the Regulations, but also in their uniform. The Company Sergeants and Corporals might retain their present distinctions, but why not create the rank of Lance Corporal, giving one chevron for good conduct, intelligent and brave execution of the private's duties, to reward the deserving man where promotion is impracticable because the prescribed number of non-commissioned officers are on the rolls of the company? The Staff-Sergeants should wear the chevrons of gold lace, not such huge, ungainly badges as now are sported, but tasteful ornaments indicative of the position and duties of the Staff-Sergeant. R. C. T. SCRANTON, Penn., Oct. 23, 1864.

THE SEVENTY-THIRD NEW YORK VOLUNTEERS.

To the Editor of the Army and Navy Journal:

SIR:—By special orders No. 241, from headquarters Second Army corps, a board of officers, of which General Miles is President, was appointed to ascertain what regiments in the corps were entitled to have the names of battles in which they had been engaged inscribed on their colors, also how many colors and guns had been captured from the enemy, etc., etc. The following is from the report of the Seventy-third New York Volunteers:

"This regiment, as the Fourth regiment of the Excelsior brigade, arrived in Washington in August, 1861, 897 strong. Present strength, for duty 203; absent, 222. Total, 425." It has participated in the following engagements:

Yorktown, Williamsburgh, Fair Oaks, the Chimneys, Savage Station, Glendale, Malvern Hill, Malvern Hill 2d, Bristow Station, 2d Bull Run, Chantilly, Fredericksburgh, Chancellorville, Gettysburgh, Wapping Heights, Kelly's Ford, Locust Grove, Wilderness, Spottsylvania, North Anna, Coal Harbor, Siege of Petersburg, Deep Bottom, Mine Run.

Has lost in action seven hundred and nine officers and men, of whom all but forty-six (46) have been killed and wounded; has captured from the enemy five (5) colors, five (5) guns, and never lost any.

Colonel Wm. R. Brewster entered the service in April, 1861, as major of the Twenty-eighth New York State Militia for three months' service. For the past two years he has been almost constantly in command of a brigade. His health is, however, so much impaired by long and active service, that his surgeons advise him it will be fatal for him to endure another winter campaign, and we understand he is about to leave the service. His retirement will be a loss to the service, which cannot at this time well spare officers of his character and long experience.

FASCINE-KNIVES.

To the Editor of the Army and Navy Journal:

SIR:—The proposition of Captain ALEXANDER, Maryland Artillery, to unite saw and bayonet, is excellent, but not new. The Pioneers, Sappers, Miners and Pontonniers of the European armies have carried them since 1809, as tool and as weapon. The blade is so shaped that it is broader at the point than at the hilt, so that it may be used with greater force as a hatchet. The back has teeth filed into it so that it may be used as a saw. It is fixed upon the fire-arms like a sabre-bayonet, and is thus no hindrance in firing, while the point is sharp enough to serve admirably for a thrust. These bayonets are called Fascine-Knives.

FRAUDULENT SALE OF GOVERNMENT PROPERTY.—The following decision of Major G. NORMAN LIEBER, Judge-Advocate of the Department of the Gulf, and presiding judge of the Provost Court at New Orleans, will interest and instruct the Army. The three defendants in the case, F. M. ZEIGLER, GEO. A. MEYSTER and HENRY HELLFRISCH were charged with the offence of dealing in Government forage:—

The extent to which the fraudulent sales of Government property has been carried in this city, and the facility with which it can be accomplished by persons in the employ of the Government, render it necessary to exercise more than ordinary exertion in its detection, and the most unflinching severity in its punishment. There is certain Government property, which, more than any other, is liable to be misappropriated and stolen, and on account of the difficulty of identification offers great temptation. I may mention, for instance, forage, horses, clothing and rations, but particularly the first. The facts of the case now before the court are these: Defendant MEYSTER, sutler of the Third Maryland Cavalry, drew upon six forage requisitions for ten private horses, signed by officers of the Third Maryland, a certain amount of forage, of which he used a part, selling the remainder to defendant HELLFRISCH. These facts are admitted. The question then arises, whether or not that forage, as soon as drawn, became private forage in such a sense as to admit of the possessors disposing of it in any way.

An officer is paid by the Government a certain sum as his salary. Under certain circumstances he receives a certain amount of fuel and forage. It is particularly provided that he shall not have authority to dispose of surplus fuel, and the same rule applies to forage. (See par. 1124 Revised Army Regulations.) The intention is to furnish him with sufficient forage for his horses and no more. If there should happen to be a surplus, that surplus must be considered as the property of the Government, and not private property. The officer has no right to sell or dispose of it, and any person buying it from an officer buys it under the presumption of its being Government property. It is the duty of the person buying to assure himself that it is not Government property. It must be considered as being Government property until proved to be otherwise.

In the present instance the amount sold indicates an in-

tention on the part of certain of the parties to defraud the Government. There could not lawfully have been so large a surplus. Defendant MEYSTER is found guilty and sentenced to pay a fine of \$300.

If these requisitions were given to him in payment of a debt he has his remedy against the officers, and the officers are likewise responsible to the Government.

Defendant HELLFRISCH I find guilty and sentence to pay a fine of \$188. Defendant ZEIGLER is acquitted, the evidence not showing that he was implicated in the transaction.

ARMY AND NAVY PERSONAL.

BRIGADIER-GENERAL Custer has been promoted to be a Major-General, in consideration of his brilliant services in the Valley.

JURIN Hodge, of Connecticut, has been appointed Chief Quartermaster of the Sixth Army corps, with the rank of Lieutenant-Colonel.

Mr. P. McCallum, son of General McCallum, has been appointed Superintendent of the military railroads diverging from Alexandria.

BRIGADIER-GENERAL Thomas Francis Meagher lately gave a reading from the poets at Nashville, Tenn., for the benefit of the St. Mary's Orphan Asylum.

COLONEL N. A. M. Dudley, of the Thirtieth Massachusetts, and Captain of the Tenth regular infantry, has been appointed Major of the Fifteenth infantry.

COLONEL Ellison, Chief Quartermaster of the Department of Washington, has been relieved for assignment to duty elsewhere, and Captain Lawrence temporarily placed in his office.

MAJOR Nelson Plato, for a long time Dépôt Quartermaster at Norfolk, has been relieved by Captain Blunt, and ordered to the front on duty in Major-General Butler's command.

BRIGADIER-GENERAL E. E. Potter has returned to the Department of the South, and resumed command of the District of Hilton Head, Fort Pulaski, St. Helena and Tybee Islands.

COLONEL Joseph Darr, Jr., heretofore performing the duties of first assistant provost-marshal-general, is announced as acting provost-marshal-general of the department of Missouri.

CAPTAIN F. M. Croley, 11th U. S. infantry, has been ordered to report to Captain W. B. Royall, Superintendent of mounted recruiting service at Carlisle Barracks, Penn., for assignment to duty.

BRIGADIER-GENERAL George D. Wagner has been promoted to the command of the Second division Fourth army corps, vice-Brigadier-General Newton assigned to the command at Key West.

BRIGADIER-GENERAL John Newton and staff arrived at New Orleans from Cairo on the 14th, en route for Key West, where General Newton takes command in place of Brigadier-General Woodbury, deceased.

LIEUTENANT Thomas J. Robinson, of Major-General Foster's staff, has been relieved and ordered to report to Brigadier-General Scammon, as Adjutant-General of the Northern district of the Department of the South.

CAPTAIN Clayton Macmichael, 9th U. S. infantry, one of the aides-de-camp of the late Major-General Birney, having been temporarily relieved from duty in the field on account of physical disability, is on duty as U. S. mustering officer at Augusta, Me.

LIEUTENANT Harry Fuller, of the First Western Virginia cavalry, has been appointed Acting Ordnance Officer by Major-General Sheridan, and assigned to duty on the staff of General Powell, commanding a cavalry division in the Middle Military Department.

COLONEL Thomas has arrived at Hilton Head and assumed the duties of Chief Quartermaster, relieving Captain John H. Moore, who is expected to go to Florida. Captain S. T. Lamb, Assistant Quartermaster, has been relieved by Captain Fitzgerald and goes North.

BRIGADIER-GENERAL George J. Stannard, who commanded the First division of the Eighth corps at the battle of Chapin's Farm, and lost his right arm in repulsing the rebel attack on Fort Harrison the next day, has received leave of absence and left for his home in Vermont.

COLONEL P. P. Pitkin, Dépôt Quartermaster at City Point, Va., has been notified by the Governor of Vermont of an appointment as Quartermaster-General of that State, with the rank of Brigadier-General, and requested to return immediately and enter on the duties of the office.

CAPTAIN C. C. G. Thornton, Twelfth Maine Volunteers, having been assigned to special duty by order of headquarters department, has been relieved from duty as Acting Inspector-General at headquarters District of Eastern Virginia. Major J. A. Darling, Third Pennsylvania heavy artillery, is appointed Acting Inspector-General.

The following named officers and men have been duly exchanged as prisoners of war in Charleston harbor, S. C., and ordered to join their regiments without delay:—Captain J. G. McWilliams, Fifty-first Illinois Volunteers; Major T. Pruyn, Seventh New York heavy artillery; Hospital Steward J. C. Ault, Second Ohio regiment.

MAJOR W. A. Van Rensselaer, of the Twentieth regiment New York State veteran militia, has been assigned to duty at Fort Monroe to transact all business of the Provost-Marshal-General's Department pertaining to the mail boats which are running upon the lines of communication of the armies operating against Richmond.

COLONEL C. H. Van Wyck, of the Fifty-sixth New York State Volunteers, is at present in command of Morris Island, S. C. He comes home on leave of absence. Colonel Van Wyck has recently remustered for an additional term of three years. On the 17th inst. the privates and non-commissioned officers of the regiment, as an expression of their esteem, presented Colonel Van Wyck with an elegant gold watch.

FIRST Lieutenant Frank H. Boyd, Co. E, Eighth New York Heavy Artillery, has been sentenced to forfeit all pay

and allowances due or to become due him to the amount of five hundred and thirty-seven dollars, to be dishonorably dismissed the service of the United States, and to be confined for the term of three years in the State prison at Auburn, New York, or at such other place of confinement as may be designated by the proper authority.

The following officers have been cashiered:—Captain Henry Troll, Battery A, Second Missouri light artillery; Captain David Thompson, Co. H, Second regiment District of Columbia volunteers; Captain William McNally, Seventy-seventh N. Y. S. N. G., and to forfeit all pay and allowances due and to become due, and to be imprisoned at hard labor in the Penitentiary at Albany, N. Y., or such other place as the commanding general may direct, for the period of one year.

The following officers have been dismissed the service:—Captain A. A. Guest, Second U. S. Sharpshooters, dishonorably, with the forfeiture to the United States of all pay and allowances; Captain William T. Cummings, Co. I, Nineteenth Kentucky Vols.; First Lieutenant John W. Peck, Co. G, Second regiment District of Columbia Vols.; Second Lieutenant Henry S. Hilliard, Fifth New Hampshire Vols.; First Lieutenant Herbert F. Guthrie, Battery L, First Ohio light artillery.

FIRST Lieutenant Joseph S. Oakley, One Hundred and Twentieth New York Volunteers, has been sentenced to refund to the United States two hundred and fourteen dollars and ninety-four cents, to be reduced to the rank of a private soldier, then to be dishonorably discharged the United States service, and to be confined in such penitentiary as the proper authorities may appoint, for the term of three years. The order promulgating this sentence to be published in at least one newspaper in the county in which he resides.

The following named officers constitute a commission, sitting in Washington, for the trial of various persons arrested for furnishing goods to blockade runners:—Major-General Doubleday, U. S. Volunteers; Brigadier-General F. Fessenden, U. S. Volunteers; Colonel R. Butler Price, Second Pennsylvania cavalry; Lieutenant-Colonel S. A. Barker, Fourteenth New Hampshire Volunteers; Captain J. H. Pratt, A. D. C.; Captain M. H. Ellis, One Hundred and Seventy-fifth New York Volunteers; Colonel John A. Foster, One Hundred and Seventy-fifth New York Volunteers, Judge Advocate.

The following officers from Eastern commands were exchanged lately at Rough and Ready, Ga.:—Lieutenants G. L. Breckinridge, Co. F, Second U. S. artillery, July 22; E. Belcher, Seventy-third Pennsylvania, July 20; H. Bissell, Sixth Pennsylvania, July 20; J. Coughlan, A. D. C. July 28; H. R. Sturdevant, Co. D, One Hundred and Eleventh Pennsylvania, July 20; B. F. Sheldon, One Hundred and Thirty-fourth New York, July 20; Captains B. R. Perkins, Co. D, Twelfth U. S. infantry, July 31; D. C. Buell, General Howard's staff, September 9; Major H. White, Sixty-ninth Pennsylvania, July 30; Major-General Stoneman, commanding cavalry corps; Major M. W. Keough, A. D. C. The officers who were brought up on the 28th inst. looked singularly delicate and weak. Though none had been captured previous to May, and the majority of them in the months of July and August, yet in this short time starvation had begun its work, and neglect and abuse had assisted in telling a fearfully sad story.

OBITUARY.

CAPTAIN GEORGE S. LAUMAN, 10TH U. S. INFANTRY.

At a meeting of the officers of the Tenth regiment of U. S. infantry, held at the headquarters of the Second division, Fifth corps, Army of the Potomac, the following resolutions were offered and passed:

Resolved, That it is with sincere regret we learn of the death at Reading, Pa., of our old comrade and companion in arms, Captain GEORGE S. LAUMAN of the Tenth infantry; and while condoling with his family in their great affliction, we can assure them that his reputation as a brave and gallant officer will long live in the hearts of the officers of his regiment.

Resolved, That a copy of these resolutions be sent to the family of the deceased, and also that they be published in the ARMY AND NAVY JOURNAL and New York Herald.

GEORGE H. CROSMAN, Captain 10th Infantry, comd'g regt. ADOLPH LUBING, 1st Lieut. 10th Infantry, Acting Adjutant. THEO. SCHWAN, 2d Lieut. 10th Infantry. JOHN HESTER, 2d Lieut. 10th Infantry. W. S. MILLNER, Assistant Surgeon U. S. Vols., in charge of 10th infantry.

THANKSGIVING FOR MERCIES.

By the President of the United States of America,

A PROCLAMATION.

It has pleased Almighty God to prolong our national life another year, defending us with His guardian care against unfriendly designs from abroad, and vouchsafing to us in His mercy many and signal victories over the enemy, who is of our own household. It has also pleased our Heavenly Father to favor as well our citizens in their homes as our soldiers in their camps, and our sailors on the rivers and seas, with unusual health. He has largely augmented our free population by emancipation and by immigration, while He has opened to us new sources of wealth, and has crowned the labor of our workmen in every department of industry with abundant rewards. Moreover, He has been pleased to animate and inspire our minds and hearts with fortitude, courage, and resolution sufficient for the great trial of civil war into which we have been brought by our adherence as a nation to the cause of freedom and humanity, and to afford to us reasonable hopes of an ultimate and happy deliverance from all our dangers and afflictions.

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, do hereby appoint and set apart the last Thursday of November next as a day which I desire to be observed by all my fellow-citizens, wherever they may be, as a day of thanksgiving and praise to Almighty God, the beneficent Creator and Ruler of the Universe. And I do further recommend to my fellow-citizens aforesaid, that, on that occasion, they do reverently humble themselves in the dust, and from thence offer up penitent and fervent prayers and supplications to the Great Disposer of events for a return of the inestimable blessings of peace, union, and harmony throughout the land which it has pleased Him to assign as a dwelling-place for ourselves and for our posterity throughout all generations.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twentieth day of October, in the year of our Lord one thousand eight hundred and sixty-four, and of the independence of the United States the eighty-ninth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, Secretary of State.

NOTICES TO CORRESPONDENTS.

The Editor of this JOURNAL will always be glad to receive from officers in the two services, correspondence and general communications of a character suited to its columns. It is necessary that the name of the writer should, in all cases, accompany his communications, not for publication, but as a guarantee of good faith.

Officers are especially requested to give us early notification of all personal matters of general interest; of the movements of vessels of casualties among officers; and military and naval events.

The Editor will, at all times, be pleased to respond, in these columns, to enquiries in regard to tactical and other matters.

The subscription price of THE ARMY AND NAVY JOURNAL is SIX DOLLARS a year, or THREE DOLLARS for six months, invariably in advance. Remittances may be made in United States funds, or Quartermaster's, Paymaster's or other drafts, which should be made payable to the order of the Proprietor, W. C. Church.

Subscribers who fail to receive their paper promptly, will please give immediate notice of the fact.

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The Editor does not hold himself responsible for individual expressions of opinion, in communications addressed to the JOURNAL.

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U. S. ARMY AND NAVY JOURNAL.

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Bound volumes of the ARMY AND NAVY JOURNAL for 1863-4, Volume 1, are for sale at this office. Price \$6. Covers will be furnished to subscribers wishing to bind. Price \$1.

THE BATTLE OF CEDAR CREEK.

IT is related of DESAIX, that, when the bloody morning of Marengo had been already gained by the Austrians, taking out his watch, he said: "It is a 'battle lost'; but it is not too late to win another." The brilliant advance of his division followed, with the magnificent charge of KELLERMAN's cavalry, and victory wrested from defeat crowned the banners of the First Consul. Doubtless the familiar utterance of DESAIX recurred to many readers, when the tidings came of SHERIDAN's brilliant victory at Cedar Creek. The circumstances, now so well known, of SHERIDAN's felicitous arrival on the field, his prompt dispositions to check and turn the tide of battle, and his final success in snatching victory out of adverse fortune, attest the mighty power of personal influence in the head of an army. It is always more interesting to trace the causes and consequences of great historical events to a few prominent actors therein, rather than to mechanical or accidental surroundings, or even to the combined efforts of vast numbers of men. SHERIDAN's individual influence upon the fate of the day at Cedar Creek becomes one of its chief features of attraction, and will so pass into history. The glory of saving Marengo is claimed not only by the admirers of DESAIX, but by those also of KELLERMAN and of LANNES. MASSENA, by his defence of Genoa, competes for the same palm, and no little authority exists to show that even MARMONT, always then under a cloud, was, by the skillful handling of his artillery, the true hero of Marengo. And, after all, NAPOLEON himself was the man to whom the glory belongs. In SHERIDAN's battle, the real credit of the performance, so far as officers, and not the men in the ranks, can claim it, is chiefly concentrated on himself, and his subordinates will hardly seek to seize it, to divide it amongst themselves.

When SHERIDAN withdrew from Harrisonburgh, after his advance up the Valley, he paused at Cedar Creek, two miles this side of Strasburgh. EARLY followed him to Fisher's Hill, an equal distance on the other side. The intervening space of four miles, with the town in the centre, remained debatable ground. Two or three severe skirmishes, resulting from reconnaissances, the most considerable of which was the affair of Thursday, the 13th, showed that EARLY was bent upon the renewal of active hostilities. That veteran warrior has proved himself, despite the difference in years, quite as restless as SHERIDAN, and has exhibited a boldness which, at least when viewed in the light of defeat, amounts to absolute rashness. Both his famous raid through Maryland to Baltimore and his campaign against SHERIDAN have displayed the same quality of inordinate daring. The former was crowned with complete success; but the latter with an unqualified disaster. A worthy successor of STONEWALL JACKSON, so far as intrepidity goes, he was fated to meet a very different antagonist in the Valley from those whom JACKSON so easily overthrew. When he encountered a gene-

ral who, with equal energy, boldness, and skill, stood at the head of an Army superior in numbers, EARLY's fortunes declined. Three successive and severe defeats, at Winchester, Fisher's Hill, and Cedar Creek, have attested the fatal mistakes in his military policy. The elasticity with which he recovered, after his former defeats, is, indeed, very surprising now, and warns us not to credit too much the exultant stories of his utter annihilation. But, let him recuperate his Army as he may, EARLY's prestige, for the present, is gone.

Under the impression that the enemy's army was dispirited, if not essentially destroyed, SHERIDAN was arranging new combinations of great importance. He had sent the Sixth corps to Front Royal, and made cavalry dispositions in the same quarter. Whether this move was for the purpose of transporting a part of his force to GRANT by way of the Manassas Gap Railroad, of which he had lately taken thorough possession, or to operate afresh "on another line" east of the Blue Ridge, or whatever its purpose, we need not speculate, because events have greatly changed those anticipations. The fortunate interception of dispatches disclosed that EARLY was still in fighting condition, and had been reinforced both with good men and good guns from Richmond, to supply his large losses in those particulars. Every preparation was made to receive him, the Sixth corps being recalled from Front Royal to the right of the infantry line. But, in spite of this intelligence and of EARLY's hostile demonstration, SHERIDAN determined to visit Washington, where he had important affairs to transact. He started thither on Saturday, the 15th, two days after THORNBURN's severe affair near Strasburgh.

Our line lay along the easterly bank of Cedar creek, with the Nineteenth corps in front of the bridge and ford across which the turnpike passes, the Eighth corps on its left, and the Sixth on its right. The two former were strongly entrenched, and the whole position was good. The First and Third Cavalry divisions covered the right flank, and POWELL's cavalry picketed the whole North Fork, on the left, as far as Front Royal. Our line, then, beginning on the right, ran across the Valley thus: CUSTER, MERRITT, WRIGHT (RICKETTS), EMORY, CROOK, POWELL. General WRIGHT was in command. Before dawn of Wednesday, the 19th, a raw and misty morning, a heavy flanking column of the enemy, under cover of the fog, gained unperceived CROOK's left and rear, captured nearly all his skirmish line, and was fairly inside his entrenchments before a drum was beat, or the scattering outpost fire had awakened the bewildered camp from its slumbers. Simultaneously, EARLY burst across Cedar Creek in front, carrying the ford and bridge. Seven pieces of artillery quickly fell into his hands. The rout of the Eighth corps was followed by that of the Nineteenth, whose left flank was exposed by the breaking of the former. Eleven more pieces of artillery were captured, and, like the former, turned upon our flying troops. Day broke upon a wretched scene of scattered commands. Our entire position had been turned, a thousand prisoners, eighteen cannon, our camp equipage and other spoils, captured, and the exultant enemy, pressing us away from the turnpike, was hastening along its easterly side to Middletown, whence our immense trains were driving post-haste to Winchester. A terrific artillery fire from the other side of Cedar Creek, and a steady roll of musketry on the hither side, threw consternation and death into our ranks. Here and there subdivisions bravely contested the ground. At other points, multitudes of stragglers were breaking in panic to the rear. The Sixth corps was soon brought up to cover the retreat, and CUSTER and MERRITT, hitherto not engaged, except in a preliminary feint made by the enemy's cavalry on the right, were sent across to the support of the left. The line continued to give way. The enemy seized Middletown, and planted his batteries there, while our troops fell back to Newtown. There General WRIGHT, who had never lost heart or hope, had resolved to make another stand, determined yet to win the day. Four miles from the strong position we had lost, the line was once more forming, during a fortunate lull in the battle.

At this moment, SHERIDAN came upon the field. He had ridden at top speed from Winchester, where he had arrived from Washington, passing his retreating trains, his ambulances filled with wounded, and the crowds of fugitives, who were rushing "demoralized" to the rear. Everything told him plainly that

his Army, as he expresses it, had been "driven in 'confusion.'" Arriving at 10½ o'clock,—his horse covered with foam—he made known his presence to the Army, and was received with cheers. The knowledge of the absence of the head of the Army had done much hitherto to prevent the recovery of the lost day. But now, WRIGHT's retreat had drawn the main Army from the enemy's severe fire, and caused the latter to follow him to a new position. EARLY, also, found himself forced to take a short interval of rest, in order to recuperate his exhausted troops, as well as to get them well in hand, to confront our new line. Only a few troops, of the Sixth corps, were now hotly engaged, as the enemy had ceased to press us so severely. Rest and the postponed breakfast had begun to suggest to our men that matters were not so desperate as they seemed. Once able to halt, without being mowed down under fire, they could discuss more coolly the possibility of even driving the enemy. To turn the scale, SHERIDAN's opportune appearance came, and restored to his men that confidence and enthusiasm which cannot be counted on in an army except when its proper leader is in command.

Until after midday, the lull in general battle continued. But, at one o'clock, the enemy, having dragged his artillery up to confront the new line, began tossing shells with accuracy into our ranks. The line was left as WRIGHT had formed it, except that CUSTER's cavalry division had been thrown across from the left to the right. It now ran thus:—CUSTER, WRIGHT, EMORY, CROOK, MERRITT. At Front Royal, POWELL remained quiet, being cut off from the other troops. Very soon the enemy came up once more on the charge. A prolonged and terrible encounter followed, the main part of which fell on the Nineteenth and Sixth corps. But he no longer contended with men surprised and bewildered by a fierce daylight attack, from which his impetuous rush had not suffered them to recover. The rapidity of his fighting, fortunate in one respect, was fatal in another. The lull which the exhaustion of his men demanded, proved the cause of his subsequent reverse. Our troops, also, now had their "second breath," and, well posted, received the enemy's charge on equal terms, awake, alert, and expectant. The odds were in our favor, and, after a desperate effort, he recoiled to Middletown.

Troops who could check the enemy after such bitter and continued reverse, could certainly advance. Accordingly, after an incessant duel of artillery and musketry, the charge was ordered. Between three and four o'clock the whole line went forward, infantry and cavalry alike. A terrific fire greeted them from Middletown. But they pressed on, and, despite an obstinate and sanguinary resistance, carried the village, where the enemy had made visible preparations to stay, and put him to flight. The hard work was all over, and the day substantially won. It only remained to pursue and to gather up the spoils their hasty flight would compel the fugitives to relinquish. Our 24 lost guns, camp equipage, and lost wagons, ambulances and horses, were retaken. The cavalry forded Cedar Creek, and kept on to Strasburgh, where in his hurried retreat, the enemy had got his wagons and most of his artillery into an inextricable jumble along the road. On our approach, the riders cut their traces and rode away, abandoning everything to us without a struggle. The capture of flags, cannon, and prisoners was now mere play, compared with the preceding work of the day. On account of the approach of night and the complete exhaustion of our troops, however, there was no elaborate pursuit. Our infantry remained in the old camps at Cedar Creek, a part being thrown out two miles further, to Strasburgh. Some of the cavalry went as far as Fisher's Hill, but none pursued more than three or four miles beyond Cedar Creek. The next day the cavalry went up the Valley as far as Woodstock, and made more captures of stragglers and abandoned material. But the enemy was far ahead, and had made good his retreat to Mount Jackson. The cavalry therefore returned to the neighborhood of Fisher's Hill.

The fact that EARLY was able so quickly to recuperate his army, which many people thought entirely exhausted, has given a disagreeable impression as to the resources of the enemy. But no apprehension should be felt from this exhibition of boldness. EARLY's force was certainly outnumbered by ours in that battle. His skillful surprise in the morning gave him a temporary and a dangerous advantage. But

later in the day, when the equilibrium of our troops had been restored, their superior strength instantly showed itself. Our losses in killed and wounded—between 5,000 and 6,000—were, unhappily, considerably greater than those of the enemy, owing to the continued disaster of the early morning. Had more of daylight remained, a greatly increased loss might have been inflicted upon the enemy. In prisoners, our loss was about equal to his, any difference being in our favor. He captured and held about 1,300 officers and men, and we, between 1,300 and 1,400. Besides recapturing all the cannon and equipage lost in the morning, our troops also took 24 cannon, about 20 caissons, over 100 ambulances and wagons, and a large quantity of ammunition, small arms, and stores. A portion of these latter items were recaptured.

In every aspect, the victory was complete and decisive. The staggering blow it has inflicted on the enemy's resources will be evident from considering the simple fact that, wherever he loses man for man with us, he fatally weakens himself. Add the loss in cannon, small arms, and ammunition, and especially the loss in prestige and morale, and the importance of the affair at Cedar Creek will be readily seen. That EARLY's army is completely destroyed is, of course, only one of those pleasant fancies in which sanguine people like to indulge, but which an attempt to seize Lynchburg would quickly dissipate. But the severe defeat which the enemy has experienced will render him less demonstrative and self-confident for some time to come.

We cannot hope, perhaps, to learn how the early disaster of the day was inflicted upon us, or through whose fault—of what outposts or picket-line, or of what officer of the day—the surprise happened; for, in the generous and forgiving disposition of our American campaigning, the motto is *de victoribus nil nisi bonum*; and success is the broad, charitable cloak to cover many a fault in the inception. It will not be well, probably, therefore, for us to comment on this phase of the day's operations, but content ourselves with hoping that, in case any future error of the same kind should happen, our troops may recover as promptly, and vindicate themselves as handsomely, as they did at Cedar Creek.

THE space required this week for a description of the engagement at Cedar Creek has absorbed that usually devoted to the great Campaign in Virginia. It so happens, however, that there never has been so little to record as now, in the Army of the Potomac, since the opening of the campaign. From the 18th to the 25th, we have only a repetition of artillery firing from the batteries, and picket firing from the skirmish lines. North of the James, the firing and counter-firing centres, principally, at Dutch Gap, where it is continuous and sharp. The enemy correctly reasons that General LEE would not expend so much powder and ball at this point, unless it were of importance to stop the construction of the canal. Meanwhile, amidst the heavy shelling from both sides, the digging goes briskly on. The news of SHERIDAN's victory, arriving on Thursday night, was greeted with cheers, and celebrated by a salute of shotted guns. On the south side, as on the north, there has been plenty of work in exchanging artillery compliments, but no manœuvring.

The Richmond papers still recur to the affair of the 13th, which they pronounce "a great victory," and again "one of the most thorough castigations inflicted upon an enemy in modern times—a castigation not inferior in actual destruction of life, so far as the enemy is concerned, and quite as remarkable for the small loss of the party inflicting it, as that which PAKENHAM suffered at the hands of ANDREW JACKSON." They judge that General LEE's dispatches are too modest for the magnitude of the victory. We have already set forth at length our reasons for regarding the affair as merely a reconnaissance in force.

The game of manœuvre between SHERMAN and HOOD grows each day more exciting and absorbing. And yet, but little of a decisive character has occurred so far, and it is even possible that after all this "sparring for position" the two antagonists may part without a pitched battle. Our flag still floats in Atlanta, despite the enemy's boast to drive us from that well-earned city. HOOD has certainly severed the railroad line between Atlanta and Chattanooga,

but how much damage he has done to our communications is uncertain. The enemy's papers are very jubilant, and declare that the injury is permanent, that Atlanta must be evacuated, and that Chattanooga itself is in danger. On the other hand, SHERMAN, retentive, energetic, self-reliant, so far from trembling at HOOD's strategy, which is merely a copy of his own in taking Atlanta, is vigorously driving that general back from Georgia into Alabama. On Monday, the 17th, he took possession of Lafayette with one Army corps. HOOD had left it the same morning, hurrying down to the Coosa River. That part of his force, however, which HOOD had left at Lovejoy's and Macon, had come up to the fortifications of Atlanta, and was demonstrating in its front. The Twentieth corps held it securely, and did not exhibit much trepidation. Raiding parties, however, were still busy on the railroad to Chattanooga. The enemy's papers had already contradicted his reported capture of Rome.

Since the 17th, very little intelligence has come North from SHERMAN, although telegraphic communication between Washington and Atlanta has been restored. The enemy is amused with extravagant stories of the capture of Atlanta and Chattanooga, and SHERMAN's army. But they all seem to be founded on the fact that, upon HOOD's advance, some of our stations at the smaller fortified points were prudently evacuated. Nearly all these latter have been reoccupied without trouble. The last point at which we hear from SHERMAN is Gaylesville, Alabama, a village situated about the centre of Cherokee county (which borders on Georgia), and a little north of the Coosa River. HOOD is reported to be at Gordon, about thirty miles southwest of Gaylesville. SHERMAN has evidently succeeded once more in taking the offensive. It is an interesting position, but the news of its details is very meagre. Meanwhile, our railroad repairs between Atlanta and Chattanooga are rapidly progressing. There is nothing discouraging in our position, though HOOD's movement is a bold and able one. SHERMAN is still master of the situation.

AMONGST the many promising officers who fell at Cedar Creek, was the gallant and accomplished Colonel CHARLES R. LOWELL. He was born in Boston in 1835, of very distinguished ancestry. He was graduated successively from the Boston Latin School and from Harvard College first in his class; from the latter in 1854. European travel and study added culture and accomplishment to his brilliant intellect and fine taste. At the opening of the war, he was a superintendent of iron-works in Maryland. He started instantly for Washington, and tendered his services to the country. He was assigned to a captaincy in the Sixth cavalry; went through the Peninsula campaign with STONEMAN, and subsequently served upon McCLELLAN's staff. In the winter of 1862-63, he recruited the Second Massachusetts cavalry, and, proceeding to Washington, was soon after assigned to the charge of a brigade. For a year he made himself of great value in protecting the environs of Washington from MOSBY's cavalry. When SHERIDAN took charge of the Middle Department, LOWELL's brigade was assigned to him. Through all SHERIDAN's campaign, Colonel LOWELL has performed conspicuous and brilliant military service, to the particulars of which we would gladly revert. At Cedar Creek he fell in the noble performance of his duty.

No well-informed person can deny that the remarks of several of our correspondents of late, relative to the necessity of an increase in the pay of officers of the Army, are just and well grounded. The demand is made from no mercenary, or penurious, or discontented motives. It is asked as an act of simple justice that the Government make to its commissioned officers the same allowances as are made to all its other servants, civil and military, in consideration of the greatly augmented prices of all articles of necessity. Clothing, provisions, and labor all now command prices from fifty to one hundred per cent. greater than they did two years since. During this time, the pay of citizen employés of the Government, both in civil and military stations, has been raised; the pay of enlisted men of the Army has been handsomely increased; the officers alone, who are still required by regulations to wear the same clothing, to mount and equip themselves in the same manner, and to employ

the same servants, have received no compensation or allowance for the increased prices of these articles. On the contrary, the pay of officers is actually less than formerly. The income tax is improperly assessed against the "allowances" of an officer, as he is required by regulations to apply those "allowances" to certain purposes, and they can, therefore, in no sense be considered as "income." But this tax has lately been increased from three to five per cent. The allowances for servant's wages, formerly assimilated to the pay of a private soldier, have been kept at the old rate of such pay, instead of being increased with the increase of soldier's pay; and a similar rule is followed in the case of the allowance of clothing for servants. Yet all these discriminations against the Army officers, which are making them actually the poorest men in the country, while they have driven from the service some earnest and valuable officers, have generally awakened nothing but the facetious remark that "we will bear it all till they begin to charge us fees for the privilege of holding commissions." We think it is now time that a respectful, earnest, and manly request should be addressed to Congress, on the part of all officers of the Army, for a suitable increase of pay and allowances.

It is still hard to give anything like a reliable statement of military movements in Missouri. It seems to be true that PRICE, after driving General CURTIS back to Kansas City, and General BLUNT out of Lexington, to the Little Blue River, was finally, on Sunday, the 23d, driven in his turn by these two forces, which had been joined by the cavalry of PLEASANTON and some outlying detachments of infantry. The report is that PRICE was forced to fall back several miles, suffering heavier loss than he inflicted on us, and losing considerable numbers of his loosely-organized force by desertions and scattering. It is impossible to give figures which would be at all reliable, either in regard to the original Rebel force or its losses in battle. The last fight occurred near Kansas City.

It is hardly necessary to call attention to the articles published on other pages of this issue of the JOURNAL, on the British Law of Piracy, the Important Prize Decision of Judge SPRAGUE in the case of the *Ella and Anna*, and the article on the Care and Discipline of Troops. We think they will all repay a careful reading, and prove both interesting and instructive.

BRIGADIER-General RICKETTS, of the Sixth corps, who was wounded at Cedar Creek, has been brevetted major-general for gallant and meritorious conduct in that engagement. His wounds, which are quite serious, are now, happily, in such a state as to promise his speedy recovery.

AMONG the revocations of dismissals gazetted in this journal last week was that of First Lieutenant Joseph W. Paine, Thirtieth New York Cavalry. It is but due to this officer to say that his dismissal grew out of a misapprehension of the facts of the case. Lieutenant Paine was absent from his old regiment because eight months previously he had received promotion to be major of another regiment, and had been ordered to the Department of the Gulf. As soon as this fact was known to the Adjutant-General, the dismissal was revoked and the officer was honorably restored to his commission. Such errors as this too frequently arise from the neglect or malice of commanding officers, who take advantage of some quibble to report the promoted officer as "absent without leave." A more reprehensible practice can hardly be imagined.

A DUEL between two officers—Brevet-Major Greve and Captain Hansen, of the Missouri cavalry—occurred near St. Louis last week. The affair grew out of difficulty which commenced a year ago. The seconds were a Captain Kregi and a German theatrical character. The weapons were Navy revolvers, at fifteen paces. Captain Hansen fell at the first shot very seriously wounded in the left breast. Major Greve's coat sleeve was pierced, but he suffered no other injury.

CAPTAIN William Sweet, Seventeenth U. S. Infantry, Assistant Mustering officer at Newbern, N. C., died of yellow fever on the 11th inst.

FIRST Lieutenant Henry F. Brownerton, Fifth United States Regular Artillery, has been missing since the rebel attack on Sheridan's Army on the 19th inst.

ARMY GAZETTE.

THE ARMY OF THE JAMES.

CONGRATULATORY ORDER.

HEADQUARTERS, DEPARTMENT OF VIRGINIA AND NORTH CAROLINA, ARMY OF THE JAMES, BEFORE RICHMOND, October 11, 1864.

Soldiers of the Army of the James! The time has come when it is due to you that some word should be said of your deeds. In accordance with the plan committed to you by the Lieutenant-General commanding the army, for the first time of the war, fully taking advantage of our facilities of steam transportation, you performed a march without parallel in the history of war.

At sunset of the 4th of May you were threatening the enemy's capital from West Point and the White House, within thirty miles of its eastern side. Within twenty-four hours, at sunset on 5th of May, by a march of a hundred and thirty miles, you transported thirty-five thousand men, their luggage, supplies, horses, wagons and artillery, within fifteen miles of the south side of Richmond, with such celerity and secrecy, that the enemy were wholly unprepared for your coming, and allowed you, without opposition, to seize the strongest natural position of the continent—a victory all the more valuable because bloodless.

Seizing the enemy's communications between their capital and the South, you held them till the 23rd of May. Meanwhile your cavalry, under General Aug. V. Kautz, cut the Weldon road below Petersburg twice over and destroyed a portion of the Danville railroad, while the colored cavalry, under Colonel Robert M. West, joined you by a march from Williamsburg across the Chickahominy to Harrison's Landing.

From the 12th to the 16th of May you "moved on the enemy's works" around Fort Darling, holding him in check while your cavalry cut the Danville road, cutting his first line of works, repulsing with great slaughter his attack, which was intended for your destruction. Retiring at leisure to your position, you fortified it, repulsing three several attacks of the enemy, until you have made it strong enough to hold itself. Fortifying Powhatan, Wilson's Wharf, Fort Pocahontas, you secured your communications and have practically moved Fortress Monroe as a base within fifteen miles of the Rebel capital, there to remain till that travels.

Re-embarking after you had secured your position with nearly your whole effective strength under Major-General Wm. F. Smith, you again appeared at White House, forty-eight hours after you received the order to march, participating at the memorable battle of Coal Harbor with the Army of the Potomac, where the number and character of your gallant dead attest your bravery and courage.

Again returning in advance of that army on the 15th of June, under General Smith, the Eighteenth Corps captured the right of the line of defenses around Petersburg and nine pieces of artillery, which lines you have since held for three months.

On the 16th of June a portion of the Tenth Corps under Brigadier-General Alfred H. Terry again threw itself upon the enemy's communications between Richmond and Petersburg and destroyed miles of the road, holding the point for days.

The Tenth Corps, on the 14th day of August, passing the James at Deep Bottom under Major-General David B. Birney, by a series of brilliant charges carried the enemy's works near New-Market, and two days later another line of works at Fussell's Mills, defended by the best troops of Lee's army, bringing back four guns and three battle-flags as trophies of their valor.

Again crossing the James on the 9th of September, with both corps, with celerity, precision, secrecy, and promptness of movement, seldom equalled, with both corps in perfect co-operation, you assailed and carried at the same moment, with the Tenth Corps and the Third Division of the Eighteenth Corps, under General Birney, the enemy's strong works with double lines of abatis at Spring Hill, near New-Market, while the remaining Division of the Eighteenth Corps, under Major-General O. C. Ord, carried by assault Battery Harrison, capturing 25 pieces of heavy ordnance—the strongest of the enemy's works around Richmond. The army thus possessed itself of the outer line of the enemy's works, and advanced to the very gates of Richmond. So vital was your success at Battery Harrison, that on the 1st of October, under the eye of General Lee himself, massing his best troops, the enemy made most determined assaults upon your lines to retake it, and were driven back with the loss of seven battle-flags and almost the annihilation of Clingman's brigade.

After weeks of preparation, massing all his veteran troops on your right flank, on the 7th of October the enemy drove in our cavalry with the loss of some pieces of horse artillery; but meeting the steady troops of the Tenth Corps, were repulsed with slaughter, losing three commanders of brigades killed and wounded, and many field and line officers and men killed, wounded and prisoners.

Such is the glorious record of the Army of the James! Never beaten in battle—never repulsed in assault by a larger portion of its forces than a brigade.

All those triumphs have not been achieved without many loved and honored dead. Why should we mourn their departure? Their names have passed into history, emblazoned on the proud roll of their country's heroes. Yet we drop fresh tears for the gallant General H. B. Burnham, the devoted soldier—leading his brigade to the crest of Battery Harrison, where he fell, amid the cheers of his victorious charges. In his memory, Battery Harrison will be officially designated Fort Burnham.

Of the colored soldiers of the Third Division of the Eighteenth and Tenth Corps, and the officers who led them, the General commanding desires to make special mention. In the charge on the enemy's works by the colored Division of the Eighteenth Corps at Spring Hill, New-Market, better men were never better led—better officers never led better men. With hardly exception, the officers of the colored troops have justified the care with which they have been selected. A few more such gallant charges, and the command of colored troops will be the post of honor in American armies. Our colored soldiers, by coolness, steadiness and determined courage and dash, have silenced every cavil of the doubters of their soldierly capacity, and drawn tokens of admiration from their enemies; they have brought their late masters even to the consideration of the question whether they will not employ as soldiers this hitherto despised race. Be it so! This war is ended when the musket is in the hands of every able-bodied negro who wishes to use one.

In the present movement, where all have deserved so well, it is almost invidious to use names; yet justice requires especially gallant acts to be noticed. Major-Generals Ord and Birney receive the thanks of the Commanding General for prompt celerity in the movement of their corps, both in the time and the manner, thereby securing thorough co-operation, although moving over different lines. Their active promptness cannot be too much commended as examples in other operations.

To be able to move troops in exact time is a quality as scarce as it is valuable. General Ord received a severe wound while directing the occupation of the captured redoubt. Brigadier-General Stannard is particularly distinguished for his gallantry in leading his division in assault, until he lost his arm. The Commanding General takes pleasure in recommending General Stannard for promotion for meritorious service. First Lieutenant C. W. Cook, 21st Connecticut, Acting Aide to Brigadier-General Stannard, has special mention for distinguished gallantry, and is recommended to his Excellency the Governor of Connecticut for promotion.

All commanders of divisions and brigades acquitted themselves to the satisfaction of the Commanding General in the fight.

The Commanding General is quite conscious that in his endeavor to put on record the gallant deeds of the officers and soldiers of the Army of the James, he has almost of necessity (because of imperfection of reports) omitted many deserving of mention. Yet, as these gallant men will on other occasions equally distinguish themselves, they can then take their due place in their country's history.

EIGHTEENTH CORPS, FIRST DIVISION.

In the 1st Brigade, Lieutenant-Colonel Raoulston commanding, reports that his whole command behaved in so credible a manner that he has no individual instances of gallant conduct to report.

SECOND BRIGADE.

Assistant-Surgeon J. G. Porteous, 118 New York Vols., deserves the highest credit for his bravery and attention to duties, being the only surgeon in the brigade, advancing with his regiment in the charging column.

Lieutenant-Colonel George F. Nichols, 118 New York Vols., deserves honorable mention for the gallant manner, with a small number of men, with which he captured two redoubts on the right of Fort Harrison while the main assault was being made, and also for his cool conduct of the skirmish line in the general assault.

Lieutenant Campbell, 118th New York, aide to Brigadier-General Burnham, carried an order to the assaulting column when near the brow of the fort, under a heavy fire—a most gallant act.

Lieutenant N. J. Gibbs and H. J. Adams, of the same regiment, the first men in the redoubts, are commended for their presence of mind in turning the enemy's guns to bear upon them. They are respectfully recommended to his Excellency, the Governor of New York, for promotion.

Corporal Michael Finnegan, 118th New York, is reported for his cool and humorous courage in capturing a Rebel, forcing him to stand on the parapet, face the enemy and give three hearty cheers for the Union.

Private Frank Andrew, 118th New York, was especially conspicuous, capturing 40 prisoners after the enemy's assault of the 30th. He is recommended to the Secretary of War for a medal for gallant conduct.

Colonel Michael Donahue, 10th New Hampshire Vols., has credit for the gallant manner in which he advanced his skirmish line from Aiken's Landing, having his horse shot under him, and afterwards severely wounded.

Private James Bradbury, 10th New Hampshire Vols., is recommended to the Secretary of War for a medal, for gallantry in capturing a Rebel stand of colors.

William S. Simmons and Jacob Bishop, color-sergeants of the 8th Connecticut Vols., are commended for planting their colors on the parapet of the fort among the earliest. Sergeants Bishop and Simmons are promoted to 2d Lieutenants in the U. S. colored troops; with the approval of the President.

Corporal Nathan Hickock, 8th Connecticut Vols., honorable mention for his gallantry in capturing a Rebel battle flag, and is recommended to the Secretary of War for a medal. His colonel will see that he has his warrant as a sergeant.

Chaplain Nathan Wardner, of the 96th New York Vols., is specially commended for charging with his regiment in the advancing column, ready to administer the lasting consolations to the dying.

Sergeant Quester Archer, of the 96th New York, has honorable mention for his gallantry in placing the colors of his regiment on Battery Harrison. There is a generous rivalry between the color-bearers of the 8th Connecticut and the 96th New York, as to which was the first in planting their colors—so nearly equal were they that it is difficult to say which were in advance. May that rivalry always continue.

Captain Enoch W. Goss, of the 13th New Hampshire Vols., is commended for leading the skirmish line and the capture of prisoners and battle flags, after the enemy's charge of the 30th, in which 18 commissioned officers and 209 men were captured.

Acting-Adjutant William P. Long, 21st Connecticut Vols., is recommended to his Excellency the Governor of Connecticut for promotion for gallantry in planting his colors among the first on the Rebel fortifications.

Corporal F. Clarence Buck, Co. A, 21st Connecticut Sharpshooter Battalion, is recommended to the Secretary of War for a medal for courage. Although wounded in the arm, he refused to leave the field until the engagement closed. In addition, he will have his warrant as sergeant.

THIRD BRIGADE.

Captain Cecil Clay, 58th Pennsylvania Vols., has honorable mention. His color-bearer being shot, he planted his colors on the fortifications of Battery Harrison, and was severely wounded in the act. He is recommended to his Excellency the Governor of Pennsylvania for promotion.

Sergeant Patterson T. Campbell, Co. F, 57th Pennsylvania, is noticed as capturing the first prisoner in the fort—a Rebel captain. He is promoted to a lieutenancy in colored troops.

Sergeant Nathan McKown, Co. B, 58th Pennsylvania, advanced in front of our lines, after the repulse of the enemy, capturing a Rebel battle flag under severe picket fire. He is recommended to the Secretary of War for a medal for gallantry. Sergeant McKown is promoted for good conduct to a lieutenancy in the 6th U. S. Colored troops.

Corporal Samuel Clapper, Co. D, 188th Pennsylvania, is recommended for a medal for gallant services in bringing off the colors of the 92d New York—its own color-sergeant being wounded.

Corporal Charles Blucher, Co. H, 188th Pennsylvania, planted the first national colors on the fortifications in the charge of September 29. He is recommended to the Secretary of War for a medal for gallantry, and will have the warrant of a sergeant.

Corporal William Groul, Co. I, 188th Pennsylvania, first planted the colors of his State on the fortifications of the enemy. He is recommended for a medal for gallant conduct.

Theodore Kramer, Co. G, 188th Pennsylvania, took one of the first prisoners, a captain, in the charge of the 29th, and is recommended to the Secretary of War for a medal.

Sergeant William E. Gibson, Sergeant John Flannegan, Co. I, and Sergeant Frank M. Hawley, Co. B, 188th Pennsylvania, were conspicuous for humane daring in volunteering to bring off the wounded under a heavy fire, September 29. There are some who will carry wounded to the rear; these sergeants brought them from the front. Sergeants Gibson, Flannegan and Hawley are promoted for good conduct and soldierly bearing, to lieutenants in the United States Colored Troops.

Private Joseph Shea, 92d New York, is recommended for a medal for like gallant conduct in bringing the wounded from the field under fire of the enemy after the retirement of the line.

The 1st Division of the 18th Army Corps, and the 158th New York, will be entitled to inscribe Battery Harrison on their colors. The quartermaster will furnish a new stand of colors with inscription for each regiment.

SECOND DIVISION.

Surgeon George De Landre, 158th New York, while under fire, worked faithfully day and night, dressing the wounds of those who required attention without reference to corps. It is to be deplored that our regulations allow substantially no promotion to a surgeon, but for a gallant man to do his duty in such a manner is sufficient reward.

Sergeant Armand De Alloume, Co. A, 158th New York, for soldierly coolness in turning the captured guns upon the enemy, is promoted to captain of United States Colored Troops.

Samuel Graham, color-sergeant 158th New York, is recommended to the Secretary of War for a medal for conspicuous gallantry and bravery in the assault upon the second line of works, and is promoted to 1st lieutenant in the United States Colored Troops.

Sergeant William Lang, Co. F, 158th New York, conspicuous for being among the first to scale the parapet, is recommended for a medal. Has since died of wounds. His medal will be sent to his family.

1st Sergeant Thomas Meagher, Co. G, 158th New York, who led a section of his men on the enemy's works, receiving a wound while scaling the parapet, is recommended for a medal for his gallantry.

Privates Shiller and Grabe, Co. E, 158th New York, are recommended for advancing to the ditch of the enemy's works although obliged to fall back, being unsupported. Shiller and Grabe are recommended for medals for gallant conduct.

Corporal Murphy, Co. K, 158th New York, distinguished himself by capturing a Rebel battle flag, for which service he received a twenty-days' furlough and \$25 from the commanding General.

Corporal Van Winkle, privates Henry Wells and George Buchanan, 148th New York, are recommended to severally receive medals from the Secretary of War, for distinguished gallantry in taking positions in advance of the skirmish line within short distance of the enemy's guns, driving the cannoniers from their guns. Private Buchanan has since died of his wounds. The medal will be sent to his family. Van Winkle and Wells will receive warrants as sergeants.

Augustus Flannagan, Sergeant Co. A, 55th Pennsylvania, color-bearer, conspicuous for bravery in charging on the enemy's works on the 29th of September, rushing forward with his colors, waving them and calling upon his men to follow, until he fell severely wounded. He is recommended to the Secretary of War for a medal.

Sergeant Hzekiah Hammons, Co. K, 55th Pennsylvania, with great fearlessness rushed forward, seized the colors from the wounded color-bearer and brought them off the field; and is recommended for promotion another grade for his gallantry (being already a lieutenant) to his Excellency the Governor of Pennsylvania. Would that his whole regiment had emulated his example.

1st Lieutenant Peter S. Michie, of the United States Engineer Corps, acting chief-engineer of the army of the James, has most honorable mention for the zeal and energy of his services, unremitting and unwearyed, as well with the pontoon train as in the fortifications of the line. He is earnestly recommended to the President of the United States for brevets of captain and major.

Captain J. W. Lyon, 4th Rhode Island, in command of the pontoon train of the army of the James, receives commendation for his energy, ability and promptness in the construction of the pontoon bridges by which the army crossed the river.

Captain John L. Suse, 1st Engineers, has honorable mention for energy in procuring the work which enabled our forces to hold Fort Harrison. He has already lost an arm in the service, and is recommended to his Excellency the Governor of New York for promotion.

Captain Hiram Ferrand, 1st New York Engineers, for his energy and efficiency in constructing the line of entrenchments on the line of the 18th Army Corps—receiving a very severe wound in the discharge of his duty. He is recommended to his Excellency the Governor of New York for promotion.

The services of the officers and men of the engineer corps, although not as conspicuous as those of some other troops, are quite as arduous, requiring constancy, courage and zeal, and are fully appreciated.

THIRD DIVISION.

Brigadier-General Charles J. Palne has received the thanks of Major-General Birney for the conduct of his division while temporarily acting with the 10th corps in the action of the 29th of September, near New Market.

Colonel S. A. Duncan, 4th United States Colored Troops, commanding third brigade, in addition to other gallant services in the field heretofore, fell wounded near the enemy's works. He is recommended to the President for a brevet rank as brigadier-general.

Colonel A. G. Draper, 38th United States Colored Troops, commanding 2d brigade, carried this brigade in column of assault, with fixed bayonets, over the enemy's works through a double line of abatis, after severe resistance. For incessant attention to duty, and gallantry in action, Colonel Draper is also recommended to brevet rank as brigadier-general.

Lieutenant Colonel C. W. Shirriff, 5th United States Colored Troops, gallantly led his regiment in the assault of the 26th, although at the commencement of the charge he was shot through the wrist, and again wounded until he received a third, and probably mortal wound, close to the enemy's works. He has nobly earned his promotion and his commission as colonel of his regiment, to date from the 29th of September; subject to the approval of the President.

1st Lieutenant Edwin C. Gaskill, 38th United States Colored Troops, for distinguished gallantry in leading his men when shot through the arm, within twenty yards of the enemy's works. He is promoted to a captain.

1st Lieutenant Richard F. Andrews, 36th United States Colored Troops, has honorable mention. Having been two months sick and relieved from duty, he volunteered and charged with his command through the swamp, where he received a wound. He is promoted to the rank of captain.

1st Lieutenant James B. Backup, 36th United States Colored Troops, excused from duty for lameness, from which he could walk but a short distance, volunteered and charged with his command through the swamp, and received a wound through the breast. He is promoted to a captain.

Private James Gardner, Co. I, 36th United States Colored Troops, rushed in advance of his brigade, shot at a Rebel officer who was on the parapet cheering his men, and ran him through with his bayonet. He will have a sergeant's warrant and a medal for gallant daring.

Captain Philip Weinman, 6th United States Colored Troops, commanding division of sharpshooters and in charge of the skirmish line, is promoted to major for excellent conduct in managing his line of assault on the 29th of September.

Milton M. Holland, Sergeant-Major 5th United States Colored Troops, commanding Co. C; James Branson, 1st Sergeant, commanding Co. I, wounded; Powhatan Beattie, 1st Sergeant commanding Co. G, 5th United States Colored Troops—all these gallant colored soldiers were left in command, all their company officers being killed or wounded, and led them gallantly and meritoriously through the day. For these services they have most honorable mention, and the commanding General will cause a special medal to be struck in honor of these gallant colored soldiers.

Captain Peter Schlick, 38th United States Colored Troops, was the first of his regiment to enter the Rebel works in the assault of the 29th, and is promoted to major.

Lieutenant Bancroft, 38th United States Colored Troops, has honorable mention for daring and endurance. Being shot through the hip at the swamp, he crawled forward on his hands and knees, waving his sword and cheering his men to follow.

Sergeant-Major Martin Weisz, 38th U. S. C. T., for courage, gallantry, and good conduct in the attack on New Market, is promoted to a lieutenant.

1st Sergeant Edward Ratcliff, Co. C, 38th U. S. C. T., throw into command of his company by the death of the officer commanding, was the first enlisted man in the enemy's works, leading his company with great gallantry—for which he has a medal.

Private William Baines, Co. C, 38th U. S. C. T., among the very first to enter the rebel works, although himself previously wounded, has a medal for his gallantry.

Sergeant Harris, Co. B, 38th U. S. C. T., has a medal for gallant conduct in the assault of the 29th instant.

First Lieutenant J. Murry Hoag, 4th U. S. C. T., although on the sick list, and suffering from the effects of fever, insisted on leading his company until he fell, wounded in two places, at the enemy's inner line of abatis. He is promoted to captain.

Alfred B. Hilton, color-sergeant, 4th U. S. C. T., the bearer of the national colors, when the color-sergeant with the regimental standard fell beside him, seized the standard and struggled forward with both colors, until disabled by a severe wound at the enemy's inner line of abatis, and when on the ground he showed that his thoughts were for the colors and not for himself. He has a special medal for gallantry, and will have his warrant as first-sergeant.

Christian Fleetwood, Sergeant-Major 4th U. S. C. T., when two color-bearers had been shot down, seized the national colors and bore them nobly through the fight. He has a special medal for gallant conduct.

Charles Veal, color-bearer, Co. F, 4th U. S. C. T., after two bearers of the regimental color had been shot down, seized it close to the enemy's works and bore it through the remainder of the action. He has a medal for gallantry, and will have the warrant of color-sergeant.

Lieutenant N. H. Edgerton, Adjutant 6th U. S. C. T., when the color-bearer was shot down, seized the colors, and carried them forward even after his own hand was pierced by a bullet which severed the flagstaff. He is promoted to the rank of captain.

Corporal Miles James, 36th U. S. C. T., after having his arm so badly mutilated that immediate amputation was necessary, loaded and discharged his piece with one hand, and urged his men forward—this within thirty yards of the enemy's works. He has a medal and a sergeant's warrant.

First Sergeant William Davis, Co. E, 6th U. S. C. T., has honorable mention and a medal for gallantry.

Sergeant Samuel Gichrist, Co. K, 36th U. S. C. T., showed great bravery and gallantry in commanding his company after his officers were killed. He has a medal for gallantry.

Alexander Kelley, First Sergeant, Co. F, 6th U. S. C. T., gallantly seized the colors, which had fallen near the enemy's inner line of abatis, raised them, and rallied the men, at a time of confusion and a place of the greatest possible danger. He has a medal for his gallantry.

Sergeant Ellsbury, First Sergeant Co. G, 6th U. S. C. T., has a medal for bravery and remarkable coolness during the engagement of Sept. 29th, 1864.

Major J. B. Cook, 22d U. S. C. T., commanding his regiment as a skirmishing line, behaved most gallantly himself, and managed his men with marked ability in the assault on the enemy's lines near New-Market. In the attempt of the enemy to take Fort Harrison, he unfortunately fell wounded through his utter neglect of personal safety. He is promoted to be lieutenant-colonel.

Captain Robert Dollard, 2d U. S. Colored Cavalry, acting as field-officer, and in charge of the skirmishing line in the assault on New-Market, September 29th, inspired his command by his great personal bravery, coolness, and ability, until he fell severely wounded near the enemy's main line. He is promoted to be major.

First Lieutenant Henry Peterson, 2d U. S. Colored Cavalry, is promoted to a captaincy for gallantry and ability in conducting his company at New-Market on the 29th of September, and for meritorious conduct in field and camp.

Sergeant George Honesty, Co. I, 2d Colored Cavalry; First Sergeant Isaac Harris, Co. F; Sergeant Gilbert Harris, Co. F; Sergeant Reuben Parker, Co. F; First Sergeant Randolph Driver, Co. I, have honorable mention for conspicuous bravery on the skirmishing line in the assault on the enemy's works September 29th. Each has a medal.

The regiments of this division having behaved with great gallantry in several actions, earning thereby the right to official notice, it is ordered that there be inscribed upon the colors of the 1st and 16th U. S. C. T. the name "Wilson's Wharf."

Corp. William Williams, Co. K, 6th U. S. T., same as Sergeant Ellsbury, above, that being the place where they defeated the cavalry of Fitzhugh Lee.

That the 2d U. S. Colored Cavalry have inscribed the word "Suffolk" on their colors, for their conduct in the battle of March 9th near that place.

That the 1st, 4th, 5th, 6th, and 22d U. S. C. T. have the word "Petersburgh" inscribed on their banners, for their gallantry in capturing the line of works and the enemy's guns on the 12th of June, 1864, at that place.

That the 1st, 4th, 5th, 6th, 22d, 36th, 37th, 38th U. S. C. Troops, and the 2d U. S. Colored Cavalry, have the words "New-Market Heights" inscribed upon their colors, for their gallantry in carrying the enemy's works at that point on the 29th of September.

The Quartermaster is directed to furnish a new stand of colors to each of these regiments, with the inscription ordered.

TENTH ARMY CORPS.

FIRST BRIGADE, FIRST DIVISION.

First Sergeant William Hedges, Co. I, 62d Ohio, is commended for cool and courageous conduct while in command of his company on the

reconnaissance towards Richmond, Sept. 29th. He is recommended to His Excellency the Governor of Ohio for promotion.

First Sergeant K. Murray, Co. G, 62d Ohio, is recommended to His Excellency the Governor of Ohio for promotion for good conduct, having long been in command of his company.

SECOND BRIGADE, FIRST DIVISION.

Colonel Joseph C. Abbott, 7th N. H., commanding 2d brigade, 1st division, is recommended for brevet for his gallant and soldierly conduct since the campaign commenced, and for the skillful and able manner in which his brigade was led to the Rebel works within two miles of Richmond on the 1st inst.

First Sergeant Wm. H. Haynes, Co. G, 7th Connecticut, is recommended to His Excellency the Governor of Connecticut for promotion for marked ability and attention to his duties as acting lieutenant.

First Sergeant Benjamin A. Hill, Co. A, 7th Connecticut, is honorably mentioned for gallantry on the skirmish line on the 29th of September, in the reconnaissance on Richmond. He is appointed a second lieutenant in the U. S. colored troops.

Sergeant Lewis A. Cook, 7th Connecticut, for gallantry on skirmish line and zeal in performance of duty, is recommended for a medal.

First Lieutenant Jonathan H. Edgar, 3d New Hampshire, for gallantry in conducting the skirmish line on the 29th of September, as well as on the reconnaissance towards Richmond, is recommended to His Excellency the Governor of New Hampshire for promotion.

Sergeant-Major George A. Genser, Co. K, 6th Connecticut, is recommended for promotion to His Excellency the Governor of Connecticut, for attention to his duties, and is recommended to the Secretary of War for a medal.

First Lieutenant Ferdinand Davis, 7th New Hampshire, and Acting Aide on Brigadier-General Hawley's staff, is recommended for gallantry.

Sergeant William Tibbon, Co. C, 7th New Hampshire, in command of pioneers, has special mention for gallantry, and is recommended to the Secretary of War for a medal.

Sergeant Henry W. F. Little, Co. D, 7th New Hampshire, for gallantry on the skirmish line on the reconnaissance towards Richmond, is recommended to the Secretary of War for a medal. He is appointed first lieutenant in U. S. colored troops.

Sergeant Frank Robey, Co. D, 7th New Hampshire, for gallantry on skirmish line, is recommended to the Secretary of War for a medal.

Sergeant John A. Coburn, Co. H, 7th New Hampshire, was in command of his company in the reconnaissance towards Richmond, and is recommended to His Excellency the Governor of New Hampshire for promotion.

Sergeant George P. Dow, Co. C, 7th New Hampshire, was in command of his company in the reconnaissance towards Richmond, and behaved with gallantry. He is recommended to the Secretary of War for a medal.

THIRD BRIGADE, FIRST DIVISION.

Colonel F. A. Osborn, 24th Massachusetts, for gallant and meritorious services through the campaign, has been recommended by the Commanding General for promotion.

FIRST BRIGADE, SECOND DIVISION.

Corporal Ebenezer Skellie, Co. D, 112th New York, took the colors of his regiment when the color-sergeant fell, and carried them through the first charge. At the second charge, after all the color-guard were killed or wounded, he carried the colors to the enemy's works, where he fell wounded. He has a medal, and is recommended to the President, because of his wounds, to promotion in the Veteran Reserve Corps.

SECOND BRIGADE, SECOND DIVISION.

Colonel N. M. Curtis, commanding 2d Brigade, for his zealous and untiring efforts to make his brigade efficient, and for the manner in which he led it in action, is commended by his corps commander, and recommended to the President for promotion by brevet.

First Lieutenants John Fitzgibbon, Co. B, and James Cox, Co. C, 47th New York, have honorable mention for gallantry in both assaults on the enemy's works, and are recommended to His Excellency the Governor of New York for promotion.

Corporal Wm. Noonan, Co. F, 47th New York, when the color-bearer was shot, seized the colors and bore them through the light; for which act of courage and daring, and meritorious conduct, is appointed second lieutenant in colored troops.

First Sergeant John Curry, Co. E, 47th New York, is promoted to First Lieutenant in U. S. colored troops, for gallant behavior in the assault, and rallying his men.

First Sergeant George W. Boekel, Co. F, 47th New York, for gallantry and coolness in assault, is recommended to His Excellency the Governor of New York for promotion.

First Sergeant Andrew Hamilton, Co. H, 47th New York, for gallantry and coolness in the assault, is recommended to His Excellency the Governor of New York for promotion.

Sergeant Richard Gossie, Co. K, 47th New York, fell dead while planting the colors of his regiment on the enemy's works. He is recommended to the Secretary of War for a medal to be sent to his family.

First Lieutenant J. Wainwright, commanding 97th Pennsylvania, has honorable mention for the gallant manner in which he conducted the regiment during the engagement.

Second Lieutenant William H. Eves, Co. G, 97th Pennsylvania, behaved with especial gallantry in both assaults, and is recommended for promotion to His Excellency the Governor of Pennsylvania.

Sergeant William H. Martin, Co. A, 9th Pennsylvania, commanded his company in both assaults, and led his men with bravery and admirable order on the assault, Sept. 29th, for which he has most honorable mention, and is recommended to His Excellency the Governor of Pennsylvania for promotion to first lieutenant.

Corporal David E. Harry, Co. B, 97th Pennsylvania, is mentioned for special gallantry in both assaults of the 29th of September. He is appointed second lieutenant in U. S. colored troops.

Private William McCarty, Co. D, 97th Pennsylvania, is honorably mentioned for special gallantry, bearing his colors in advance of his regiment in the absence of the color-sergeant, is recommended to the Secretary of War for a medal.

First Lieutenant A. Lippincott, 47th New York, has special mention for gallant conduct in both assaults, and is recommended for promotion in his regiment to His Excellency the Governor of New York.

Color-Sergeant Tom Dawson, 48th New York, for coolness and courage, is recommended for promotion to His Excellency the Governor of New York.

Captain J. McDonald, Co. E, 47th New York, is recommended to His Excellency the Governor of New York for promotion, for the manner in which he conducted his regiment after taking command, the Colonel being wounded.

Lieutenant-Colonel C. R. McDonald, 47th New York, is commended for coolness and bravery in leading his command on the enemy's works, and is recommended for promotion to His Excellency the Governor of New York.

Lieutenant-Colonel G. S. Little, of the 76th Pennsylvania, is recommended to His Excellency the Governor of Pennsylvania for promotion for gallantry and judgment in leading his command.

THIRD BRIGADE, SECOND DIVISION.

Captain Robert J. Grey, 9th Maine, was especially conspicuous for gallantry, and received his death-wound while gallantly leading his regiment to the charge on Battery Gilmer.

Captain Billings Braston took command in the same charge after the death of Capt. Grey, and was killed while in the gallant discharge of his duty.

Captain E. C. Beal then took command of the regiment, led them in within thirty yards of Battery Gilmer with great gallantry and courage.

Lieutenant George S. Colbath, 9th Maine, is recommended to the Governor of Maine for promotion, for leading his command in the same charge, although suffering from an open wound received at Petersburg, and being again severely wounded.

Captain N. B. Smith, 16th New York, for distinguished gallantry while in command of his regiment during the assault of the 29th of September, is recommended to His Excellency the Governor of New York for promotion.

Captain J. H. Lawrence, commanding 13th Indiana, being wounded in the first assault, still remained in command until ordered to the rear, is mentioned for gallantry and good conduct, and recommended to His Excellency the Governor of Indiana for promotion.

Lieutenant C. F. Smith, 9th Maine, who, not having recovered from a wound received August 19th, 1864, yet remained with his company till ordered to the rear, for zeal and efficient courage has honorable mention, and is recommended to His Excellency the Governor of Maine for promotion.

Private Julius B. Koenig, 115th New York, orderly at brigade headquarters, who carried the brigade flag with extraordinary zeal and in the hottest parts of the action, is recommended to the Secretary of War for a medal for his gallantry.

Lieutenant Solomon J. Watson, 9th Maine, received his death-wound from gallant daring in the endeavor to get the colors of his regiment from the field.

Color-Sergeant L. F. Howe, 9th Maine, conspicuous for daring, is recommended to the Secretary of War for a medal.

Corporal J. Z. Fitch, Co. D, 9th Maine, carried one of the flags for a

long time after he was wounded—is recommended to the Secretary of War for a medal.

Private Thomas Belcher, Co. I, 9th Maine, has honorable mention, and will be made color-sergeant of his regiment. He took a guidon from the hands of Private Parkes, who was mortally wounded, and carried it nearer Battery Gilmer than any other man—is recommended to the Secretary of War for a medal.

Private D. E. Preble, Co. D, 9th Maine, who carried the flag, the color-sergeant being wounded, is recommended to the Secretary of War for a medal.

3D DIVISION, 10TH ARMY CORPS.

First Lieutenant Waldo B. Ryder, 7th U. S. Colored Troops; First Lieutenant Joseph E. Lockwood, 7th U. S. Colored Troops; First Lieutenant Sumner H. Warren, 7th U. S. Colored Troops, are promoted to be captains, for meritorious conduct during their connection with the regiment.

Second Lieutenant Alpheus K. Long, 7th U. S. Colored Troops; Second Lieutenant Charles H. C. Brown, 7th U. S. Colored Troops; Second Lieutenant Russell Hall, 7th U. S. Colored Troops, are promoted to first lieutenants, for meritorious services during their connection with the regiment.

Lieutenant-Colonel Samuel C. Armstrong, 9th U. S. Colored Troops, is promoted for gallant and meritorious services at Deep Bottom and Fussell's Mill on the 14th of August, 1864, as colonel of the 8th U. S. Colored Troops, vice-Colonel Loren Barrett, who has failed to be mustered on account of physical disability.

First Lieutenant Thomas Young, 8th U. S. colored troops is promoted to be captain, for meritorious services.

Second Lieutenant William H. Brooks, 8th U. S. colored troops, is promoted to first lieutenant.

First Lieutenant Haskell M. Phelps is promoted to be captain in the U. S. colored troops, for meritorious services during his connection with the regiment.

Second Lieutenant Edward E. Fairchild, 9th U. S. colored troops, is promoted to first lieutenant, for meritorious services during his connection with the regiment.

Second Lieutenants Edward Cos and John Bishop, 29th Connecticut Volunteers, are appointed first lieutenants, for uniform attention to duty.

First Sergeant Oscar Engleblom, Co. G, 8d New Hampshire, is appointed second lieutenant 7th U. S. colored troops, to fill a vacancy.

Major George E. Wagner, 8th U. S. colored troops, is specially mentioned for gallantry, and is appointed lieutenant-colonel, vice Lieutenant-Colonel Armstrong, 9th U. S. colored troops.

Captain Oscar E. Pratt, 7th U. S. colored troops, has honorable mention for meritorious conduct, and is appointed major in the 8th U. S. colored troops, vice Major Wagner, promoted.

Captains Julius A. Weiss, Thomas McCarty, First Lieutenants George R. Sherman, David S. Mack, Second Lieutenants Sylvester Ehler J. Ferguson, R. M. Splinsky, of the 7th U. S. colored troops, are all entitled to the highest praise and commendation for their gallantry and good conduct in the assault on Fort Gilmer, for which they are not now promoted, being either killed or in the hands of the enemy.

By command of Major-General BUTLER.
Ed. W. SMITH, Assistant Adjutant-General.

THE DEATH OF MAJOR-GENERAL BIRNEY.

HEADQUARTERS DEPARTMENT VIRGINIA AND NORTH CAROLINA, ARMY OF THE JAMES, IN THE FIELD, October 21, 1864.

General Orders No. 135.

Soldiers of the Army of the James!—With deep grief from the heart the sad word must be said—MAJOR-GENERAL DAVID B. BIRNEY IS DEAD.

But yesterday he was with us—leading you to victory. If the choice of the manner of death had been his, it would have been to have died on the field of battle as your cheers rang in his ear. But the All-Wise "determined all things well."

General Birney died at his home in Philadelphia, on Tuesday last, of disease contracted on the field in the line of his duty.

Surrounded by all that makes life desirable—a happy home—endearing family relations—leaving affluence and ease—as a volunteer at the call of his country—he came into the service in April, 1861. Almost every battle-field whereon the Army of the Potomac has fought, has witnessed his valor. Rising rapidly in his profession, no more deserved appointment has been made by the President than General Birney's assignment to the command of the 10th Army Corps. The respect and love of the soldiers of his own corps has been shown by the manner they followed him.

THE PATRIOT—THE HERO—THE SOLDIER. By no death has the country sustained a greater loss.

Although not bred to arms he has shown every soldierly quality and illustrated that profession of his love and choice.

It is not the purpose of this order—nor will the woe of the heart of the officer giving it—now permit him to write General Birney's eulogy.

Yet even amid the din of arms—and upon the eve of battle, it is fit that we, his comrades, should pause a moment to draw from the example of his life the lesson it teaches.

To him the word duty—with all its obligations and incentives—was the spur of action. He had no enemies, save the enemies of his country—a friend, a brother to us all—it remains to us to see to it, by treading the path of duty as he has done—that the great object for which he has struggled with us and laid down his life—shall not fail and his death be profane.

Soldiers of the 10th Army Corps!—Your particular grief at the loss of your brave commander has the sympathy of every soldier in the Army. It will be yours to show your respect to his memory by serving your country in the future as with you Birney has served it in the past.

By command of Major-General BUTLER.
Ed. W. SMITH, Assistant Adjutant-General.

HEADQUARTERS THIRD DIVISION, SECOND ARMY CORPS, October 19, 1864.

General Orders No. 64.

It is with profound regret that the Brigadier-General commanding has to convey to this command the sad news of the death of Major-General D. B. Birney, after a brief illness, in Philadelphia. Nowhere such a lamentable loss will be more deeply felt than in this division, the glorious records of which are so much identified with the gallant services of the worthy successor of Kearney and Hooker.

He died before the end of the struggle in which he took such a noble and conspicuous part; but his devotion to the country, his fidelity to duty, his gallantry in action, and his brilliant efforts for the triumph of the Union, will remain among us as an example to follow, while his personal qualities will endear his memory among all those who served with him or under him.

By order of Brigadier-General DE TROBRIAND.
S. P. FINKELMEIER, A. A. G.

ORDER CONCERNING PRINTING.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, WASHINGTON, October 1, 1864.

General Orders No. 64.

Large bills for printing headings to letter paper, special orders, &c., the words "official business," and the address on envelopes, and various other items of job printing not authorized by the Regulations, have been presented at the War Department for payment. At a time when the greatest economy should be observed in the public expenditure, all such superfluous and ostentatious outlay must be strictly avoided. Hereafter such accounts, if paid, will be stopped against the pay of the officer who orders the work to be done.

By order of the Secretary of War:
E. D. TOWNSEND, Assistant Adjutant-General.

THANKS TO TROOPS.

HEADQUARTERS DEPARTMENT OF THE MISSOURI, ST. LOUIS, MO., October 6, 1864.

General Orders No. 159.

With pride and pleasure, the Commanding General notices the gallant conduct of Brigadier-General Thomas Ewing, Jr., and his command, in the defence of Pilot Knob, and in the subsequent retreat to Rolla. With scarcely one thousand effective men, they repulsed the attacks of Price's invading army, and successfully retreated with their battery a distance of one hundred miles, in the face of a pursuing and assailing cavalry force of five times their number. Such conduct deserves imitation, particularly when contrasted with the cowardly conduct of the troops at Osage Bridge. The General Commanding presents his hearty thanks and congratulations to

Colonel Thomas C. Fletcher, 47th Missouri Vols.,

Major James Wilson, 3d Cavalry, M. S. M., Captain Robert L. Lindsay, 60th Missouri Vols., Captain William J. Campbell, Co. K, 14th Iowa Vols., Captain W. C. Montgomery, 2d Missouri Artillery, Captain A. P. Wright, 2d Cavalry, M. S. M., Lieutenant John Fessler, 1st Infantry, M. S. M., and the officers and men under their command. They have deserved well of their country. The General Commanding desires also publicly to recognize the courage and efficiency of Lieutenant-Colonel John W. Maupin, 47th Missouri Vols.; Major H. H. Williams, 10th Kansas Vols.; Captain Charles S. Hills, 10th Kansas Vols.; Captain H. B. Mills, 3d Cavalry, M. S. M.; Captain P. F. Loneragan, 1st Infantry, M. S. M.; and First Lieutenant David Murphy, Adjutant 47th Missouri Vols. Under such commanders, Federal troops should always march to victory.

By command of Major-General ROSECRANS.
FRANK EXO, Assistant Adjutant-General.

BUREAU OF MILITARY JUSTICE.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, WASHINGTON, October 11, 1864.

General Order No. 270.

With a view of defining more particularly the duties and functions of the Bureau of Military Justice it is ordered:

First. The Judge-Advocate-General shall receive, revise, report upon, and have recorded the proceedings of the courts-martial, military commissions, and courts of inquiry of the armies of the United States.

Second. All cases of breach of military law and military orders arising in the Department of Washington, and not otherwise disposed of by the Department Commander, or the Military Governor of the District of Columbia, shall first be forwarded to the Chief of the Bureau of Military Justice, who shall assign an officer especially to examine and report upon all cases of this class, and in addition to which he shall investigate and report upon such other special cases as may be referred to him by the Secretary of War.

Third. All communications pertaining to questions of military justice, or the proceedings of military courts and commissions, throughout the armies of the United States, must be addressed to the Judge-Advocate-General, and commanding officers are enjoined to forward promptly to the Bureau of Military Justice all proceedings of courts-martial, military commissions, and courts of inquiry together with the orders promulgating decision thereon. Judges-Advocate will be held responsible for the prompt execution of this paragraph, and they are required to forward to the Judge-Advocate General, at the end of each month, a list of all cases tried and to be tried within their jurisdiction.

By order of the Secretary of War.
E. D. TOWNSEND, Assistant Adjutant-General.

HOSPITAL INDEBTEDNESS.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, WASHINGTON, October 15, 1864.

General Orders No. 271.

The following will be substituted for Paragraph 4, of General Order No. 127, dated March 29, 1864, from this office, in relation to hospitals for officers:

4. When an officer is not provided with money, and is unable to obtain it, he will give a certificate of indebtedness, in triplicate, to the treasurer of the hospital, in such form as shall be prescribed by the Surgeon General, for the amount due from him to the hospital. At the time of payment, if the officer has not left the hospital, the treasurer shall present duplicate certificates of indebtedness to the paymaster who pays the hospital, to be cashed and paid by him to the treasurer, who shall furnish triplicate receipts; two to the paymaster, as his vouchers for the payment, and one to be forwarded by the treasurer direct to the Paymaster-General's office. The paymaster will deduct from the officer's pay the amount paid over to the treasurer.

If the officer leaves the hospital before the time of payment, the treasurer will, as soon as he leaves, transmit the third certificate to the Paymaster-General for the senior paymaster of the district in which the officer's command or station may be, and the amount will be stopped from his pay at his next regular payment after his return to his command. The paymaster who pays the hospital will, as above provided, pay to the treasurer the amount of the indebtedness. When officers under treatment quit the hospital on leave of absence or by discharge from the service, the amount of indebtedness paid and unpaid, shall be endorsed on the leave of absence or upon the order of discharge for the guidance of the paymaster, by the treasurer or surgeon in charge.

The following paragraph will be added to General Order No. 127: 10. Every officer shall certify on every pay account, that all due to the United States for hospital indebtedness have been paid by him.

By order of the Secretary of War.
E. D. TOWNSEND, A. A. G.

RECOVERY OF REGIMENTAL FLAGS.

HEADQUARTERS MILITARY DIVISION WEST MISSISSIPPI, NEW ORLEANS, LA., October 12, 1864.

General Orders No. 50.

The Major-General commanding has the gratification of announcing that the regimental flags lost, but without loss of honor, by the Union troops serving in the Department of Arkansas and the Department of the Gulf, during the last year, have all been recaptured while on their way to the rebel War Department at Richmond. Such of them as belong to regiments that are still in the service will at once be restored, and the remainder will be sent to Washington, to be disposed of as may be directed by the Secretary of War.

By order of Major-General E. R. S. CANNY.
C. T. CHRISTENSEN, Lieutenant-Colonel and A. A. G.

SUPPLIES FOR QUARTERMASTER'S DEPARTMENT.

QUARTERMASTER GENERAL'S OFFICE, WASHINGTON CITY, October 15, 1864.

General Orders No. 46.

The special attention of Officers and Agents of the Quartermaster's Department is called to the following instructions of the War Department of this date.

M. C. MEIGS,
Quartermaster-General, Brevet Major-General.

WAR DEPARTMENT, WASHINGTON CITY, October 15, 1864.

GENERAL:—I am instructed by the Secretary of War to direct that no more supplies for the Quartermaster's Department of the United States be purchased of Messrs. Magruder & Bro., of Annapolis, Maryland.

Very respectfully, your obedient servant,

C. A. DANA, Assistant Secretary of War.
Brevet Major-General M. C. MEIGS,
Quartermaster-General U.S.A.

ACTING ASSISTANT SURGEONS.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, WASHINGTON, October 19, 1864.

General Orders No. 275.

Acting Assistant Surgeons assigned to duty and serving with regiments, will be entitled to the fuel and quarters of an Assistant Surgeon in the Army in all cases in which the allowances can be issued in kind.

By order of the Secretary of War.
E. D. TOWNSEND, A. A. G.

BOARD OF EXAMINATION FOR QUARTERMASTERS.

Under General Orders, No. 252, of August 31, 1864, from the Quartermaster General's Office, the following Districts and Boards, for the examination of officers of the Quartermaster's Department, are established:

Board for the District comprising the Departments of Arkansas and the Gulf will assemble at New Orleans, Louisiana, on the 10th of October, 1864.

Detail.

Lieutenant-Colonel A. Bliss, Chief Quartermaster of Volunteers.

Major M. S. Miller, Quartermaster United States Army.

Captain S. E. Randle, Assistant Quartermaster of Volunteers.

Board for the District comprising the armies operating against Richmond, including the Department of Virginia and North Caro-

ina, will assemble at City Point, Virginia, on the 1st of October, 1864.

Detail.

Colonel R. N. Batchelder, Chief Quartermaster Army of the Potomac.
Lieutenant-Colonel H. L. Pierce, Chief Quartermaster 9th Army corps.
Major G. A. Shalinberger, Chief Quartermaster 2d Division 2d Army corps.

Board for the District comprising the Departments of the Tennessee, Cumberland, and Ohio, will assemble at Atlanta, Georgia, on the 10th of October, 1864.

Detail.

Lieutenant-Colonel W. G. LeDuc, Chief Quartermaster 20th Army corps.
Lieutenant-Colonel A. J. Mackay, Chief Quartermaster 14th Army corps.
Lieutenant-Colonel H. Hays, Chief Quartermaster 4th Army corps.

Board for the District comprising the Departments of Missouri, Kansas, Northern and Northwest, will assemble at St. Louis, Missouri, on the 5th of October, 1864.

Detail.

Colonel C. H. Hoyt, Chief Quartermaster Northern Department.
Lieutenant-Colonel J. B. Howard, Chief Quartermaster 18th Army corps.
Lieutenant-Colonel Frederick Myers, Quartermaster United States Army and A. D. C.

DISMISSALS

For the week ending October 15, 1864.

Lieutenant-Colonel G. S. Hollister, 16th New York cavalry (captain 7th U. S. infantry), to date October 7, 1864, as Lieutenant-Colonel 16th New York cavalry, and Captain 7th U. S. infantry, for conduct most disgraceful and conduct unbecoming an officer and gentleman.

Captain A. W. Rollins, 9th West Virginia Vols., to date October 8, 1864, with loss of all pay and allowances, for prolonged absence without leave.

Captain Byron C. Ketchum, 64th New York Vols., to date October 8, 1864, for using disrespectful and contemptuous language in his official correspondence.

Captain Edward E. Tobey, 47th Illinois Vols., to date October 10, 1864, for absence without leave, drunkenness on duty, and neglect of duty.

The following officers, to date October 10, 1864, for giving certificates that certain men had re-enlisted as veterans, and were credited to localities, thus causing local bounties to be paid by said localities, they not being entitled to the credit for said men:

Captain Daniel Sheets, 6th West Virginia cavalry.
First Lieutenant Howard Morton, 1st Virginia light artillery.
Second Lieutenant James Coates, 84th New York National guards, to date October 8, 1864, for drunkenness and absence without leave.

Second Lieutenant C. W. Fenner, 12th Pennsylvania cavalry, to date January 4, 1864, with loss of all pay and allowances, for absence without leave.

The following officers, to date September 12, 1864, for the causes mentioned, having been published officially, and failed to appear before the commission:

Absence without leave.

Major P. E. Holcomb, 1st Texas cavalry.
Captain Samuel Barry, 6th Pennsylvania Vols.
First Lieutenant Wilson H. Reilly, 21st Pennsylvania cavalry.
First Lieutenant S. B. Holcomb, 1st Texas cavalry.
First Lieutenant Joseph Green, 97th Pennsylvania Vols.
Second Lieutenant Charles I. Carlin, 161st New York Vols.
Captain John F. McCrory, 138th Pennsylvania Vols.
Captain H. Foilett, 9th New York heavy artillery.
First Lieutenant Samuel J. Yarger, 138th Pennsylvania Vols.
First Lieutenant George Pidge, 9th New York heavy artillery.
Second Lieutenant Samuel W. Lape, 9th New York heavy artillery.

Second Lieutenant John M. Capito, 3d West Virginia cavalry.

Gross cowardice before the enemy and absence without leave.

First Lieutenant L. B. Stephens, 2d West Virginia cavalry.

Second Lieutenant D. J. Martin, 3d West Virginia cavalry.

Absence without leave and conduct unbecoming an officer and gentleman.

First Lieutenant J. P. Conley, 10th West Virginia Vols.

Disobedience of orders, and absence without leave since July 18, 1864.

First Lieutenant J. J. Medlicott, 2d West Virginia cavalry.

Absence from hospital without leave while under medical treatment.

First Lieutenant F. A. Waldo, 13th Ohio cavalry.

Lieutenant Thomas G. Palmer, 1st Michigan Vols.

For being in the City of Washington without authority, and failing to report at headquarters military district of Washington under arrest as ordered.

Lieutenant Louis Manges, Adjutant 98th Pennsylvania Vols.

Drunkenness on duty, and absence without duty.

Second Lieutenant Joseph L. Ambrose, 10th West Virginia Vols.

DISMISSALS CONFIRMED.

The orders of dismissal heretofore issued in the following cases have been confirmed:

Captain Edgar S. Thayer, 7th U. S. colored troops, to date September 24, 1864, with loss of all pay and allowances, for having tendered his resignation in the face of the enemy, for reasons insufficient and unbecoming an officer, except in so far as it directs a forfeiture of pay and allowances.

Assistant Surgeon William H. Crawford, 1st U. S. colored troops, to date August 21, 1864, with loss of all pay and allowances, for having repeatedly tendered his resignation for insufficient reasons, and for violation of general order No. 129, March 30, 1864, except in so far as it directs a forfeiture of pay and allowances.

DISMISSALS APPROVED.

The orders of dismissal heretofore issued in the following cases have been approved:

Assistant Surgeon William P. Bowers, 2d Arkansas Vols., to date September 22, 1864, for drunkenness.

First Lieutenant William V. Hollingsworth, 52d Pennsylvania Vols., to date September 24, 1864, for inviting enlisted men into a public saloon at Hilton Head, and drinking with them.

Lieutenant W. H. Young, 5th New York heavy artillery (published August 19, 1864), to date July 28, 1864, for cowardice in face of the enemy.

DISMISSALS REVOKED.

The orders of dismissal heretofore issued in the following cases have been revoked:

Captain William D. Ricards, 29th Pennsylvania Vols., and he has been honorably discharged as of the date of the order of dismissal.

First Lieutenant Joseph T. Fearing, of Smith Independent cavalry company, Maryland Vols., and Lieutenant Fearing will be brought to trial before a general court-martial on the charges preferred against him.

First Lieutenant Aaron Lazarus, 28th Pennsylvania Vols., and he has been honorably discharged as of the date of the order of dismissal.

Lieutenant Robert Dusel, 103d New York Vols., and he has been restored to his command, with a view to his trial by court-martial.

Second Lieutenant Richard I. Frazer (R. I. Frayne), 23d Kentucky Vols., he having accepted an appointment in the Veteran Reserve Corps prior to the date of the order of dismissal.

RESTORED TO COMMISSION.

First Lieutenant C. C. Parsons, 4th U. S. artillery, heretofore dismissed, has been restored to his commission, with his former rank and position in his regiment, and with pay and allowances from the date of his dismissal.

DISMISSAL AMENDED.

The order heretofore issued dismissing Assistant Surgeon Simon

C. Sanger, 6th New York cavalry, to date July 22, 1864, has been amended so as to dismiss him to date August 18, 1864.

NOTICE TO DELINQUENTS.

The following officers, having been reported at the headquarters of the Army for the offences hereinafter specified, are hereby notified that they will stand dismissed the service of the United States unless within fifteen (15) days from October 24, 1864, they appear before the Military Commission in session in Washington, D. C., of which Brigadier-General John C. Caldwell, United States Volunteers, is President, and make satisfactory defence to the charges against them:

Absence without leave.

Captain Ruthven W. Houghton, 3d New Hampshire Volunteers.
Second Lieutenant Justus Shiebler, 15th New York Heavy Artillery.

Captain James T. Hall, 2d New York Mounted Rifles.
Assistant Surgeon William S. Duncan, 10th Illinois Cavalry.
Lieutenant D. M. Jones, 51st Ohio Volunteers.

EXEMPT FROM DISMISSAL.

The following named officers, charged with offences, and heretofore published, are exempt from being dismissed the service of the United States, the Military Commission instituted by Special Orders, No. 53, series of 1863, from the War Department, having reported that satisfactory defence has been made in their respective cases, viz:

Surgeon George M. Ramsey, 95th New York Volunteers.
First Lieutenant Timothy Cranney, 170th New York Volunteers.

First Lieutenant A. T. Clarke, 21st Pennsylvania Cavalry.
Lieutenant Frank W. Foote, 121st New York Volunteers, heretofore published, is hereby notified that he is exempt from dismissal, he having been previously honorably discharged the service of the United States, by Special Orders, Current Series, from this office.

DISMISSALS

For the week ending October 22, 1864.

Major John Garrett, 69th New York Volunteers, to date October 20, 1864, with loss of all pay and allowances, for disobedience of orders and absence without leave.

Surgeon A. P. Steele, 170th New York Volunteers, to date October 14, 1864, for absence without leave.

Captain Thomas Hughes, 16th Kansas Cavalry, to date October 14, 1864, for neglect of duty, absence without leave, and intoxication.

Captain B. F. Jones, 2d Minnesota Cavalry, to date October 19, 1864, for playing cards and gambling with the enlisted men of his company, buying whiskey of the Commissary of Subsistence and selling to his men, and for never having made a Quartermaster's return of Government property since his muster into service in January last.

Captain Jacob Nix, 2d Minnesota Cavalry, to date October 19, 1864, for disgraceful conduct and general unfitness to hold the position of a commissioned officer in the United States service.

Captain Joseph R. Folwell, 102d Ohio Volunteers, to date October 20, 1864, for violation of the 5th Article of War.

First Lieutenant H. L. Pike, 1st United States Artillery, to date October 14, 1864, for desertion, having been published officially, and failed to appear before the Commission.

First Lieutenant Edmund Pendleton, 3d United States Artillery, to date October 14, 1864, for absence without leave, and failing to account properly for public money in his possession.

First Lieutenant Patrick McKenna, 73d New York Volunteers, to date July 22, 1864, with loss of all pay and allowances, he having been on that date sentenced to four months' imprisonment in the New York penitentiary, Blackwell's Island, for the crime of petit larceny.

First Lieutenant George Wilder, Brackett's Minnesota Cavalry Battalion, to date October 21, 1864, for drunkenness and conduct unbecoming an officer and gentleman.

Lieutenant Hiram F. Winchester, Quartermaster 1st Regiment Potomac Home Brigade Cavalry, Maryland Volunteers, to date October 18, 1864, he having been disqualified for the service of the United States by finding of a court-martial in the case of Captain John McHarg, Assistant Quartermaster United States Volunteers.

Second Lieutenant Ellory Churchill, 23d Regiment Veteran Reserve Corps, to date October 14, 1864, for drunkenness.

Second Lieutenant M. L. Norton, Veteran Reserve Corps, to date October 20, 1864.

The following officers, to date September 19, 1864, for the causes mentioned, having been published officially and failed to appear before the Commission:

Absence without leave, and failing to report his address to the Adjutant General's Office as required by the regulations of the War Department.

Second Lieutenant John A. Fenton, 59th New York Volunteers.

Absence without leave.

Second Lieutenant Joseph Otto, 151st New York Volunteers.

The following officers, to date September 26, 1864, for the causes mentioned, having been published officially and failed to appear before the commission:

Absence without leave.

Captain James F. Hall, 2d New York Mounted Rifles.
First Lieutenant F. J. R. Collins, 8th Pennsylvania Cavalry.
Lieutenant Alexander Graham, 13th New York Cavalry.
Second Lieutenant Patrick J. McCabe, 88th New York Volunteers.

Second Lieutenant Charles F. Reddington, 22d New York Cavalry.

Absence without leave since March 9, 1864.

Lieutenant John McClure, Quartermaster 45th Pennsylvania Volunteers.

Absence without leave, having left his command without proper authority.

Lieutenant Marcus A. Corey, 24th New York Cavalry.

DISMISSALS CONFIRMED.

The orders of dismissal heretofore issued in the following cases have been confirmed:

Captain John G. Fowler, 12th Iowa Vols., to date October 11, 1864, for being drunk at a time when his services were needed to prepare his command to march with all dispatch against the enemy.

Captain William T. Cummings, 19th Kentucky Vols., to date October 4, 1864, for gross neglect of duty in not having his detachment supplied with a sufficient number of rounds of ammunition, and failure to enforce existing orders and regulations in his command.

First Lieutenant Patrick Brannigan, 155th New York Vols., to date July 25, 1864, for having tendered his resignation in face of the enemy on insufficient grounds.

Second Lieutenant John Burke, 173d New York Vols., to date May 1, 1864, for having tendered his resignation while under serious charges, for drunkenness on duty and breach of arrest.

DISMISSALS REVOKED.

The orders of dismissal heretofore issued in the following cases have been revoked:

Major W. H. Gansler, 47th Pennsylvania Vols., and he has been honorably discharged, on tender of resignation, as of the date of dismissal.

Captain Charles F. Meyer, First Lieutenant Hiram Lobdell, First Lieutenant William W. Wilson, Second Lieutenant Charles Rampe, and Second Lieutenant Edward Walte, 2d Minnesota Vols., and they have been mustered out and honorably discharged as of the date of dismissal.

RESTORED TO COMMISSION.

Second Lieutenant H. H. Spriggle, 22d Pennsylvania cavalry, heretofore dismissed, has been restored, provided the vacancy has not been filled by the Governor of his State.

Five seamen who had deserted from the *Jaka*, were pursued through the street of East Boston on Sunday morning by the police, causing quite an excitement. Four were captured and returned, and the other made his escape into Chelsea.

NAVY GAZETTE.

REGULAR NAVAL SERVICE.

ORDERED.

Second Assistant Engineer Thomas La Blanc, to the *Suwanee*.
Commander Egbert Thompson, to the South Atlantic Squadron.
Third Assistant Engineer Charles M. Van Tine, to the *Suwanee*.
Boatswain Robert McDonald, to the *Brooklyn*.
Third Assistant Engineer John A. B. Smith, and Second Assistant Engineer Edward D. Weems, to the *Mohongo*.
Lieutenant-Commander Francis A. Roe, to temporary ordnance duty at the New York Navy Yard.
Second Assistant Engineer R. S. Talbot, to examination at Philadelphia.
Lieutenant Robert B. Reill, to the receiving ship *Vermont*.
Lieutenant C. F. Blake, to duty at the Naval Academy.
Assistant Surgeon James J. Allingham, to the Navy Yard, New York.
Captain William D. Salter, to temporary service for the War Department, for the inspection of transport vessels, and for such other service as may be designated by the Secretary of War.
Paymaster George Cochran, to the *Wabash*.
Gunner William Wilson, to the *Colorado*.
Third Assistant Engineer Robert N. Ellis, to examination at Philadelphia.
Quartermaster John D. Fletcher, to the North Atlantic Squadron.
Paymaster George Harris, to duty as fleet paymaster of the East Gulf Squadron.

DETACHED.

Second Assistant Engineer Daniel W. Gaffley, from the *Sassacus*, and ordered to the *Suwanee*.
Lieutenant-Commander Charles A. Babcock, from the command of the *Morse*, and waiting orders.
First Assistant Engineer Samuel F. Savage, from special duty at Boston, and ordered to the *Suwanee*.
Commander R. Townsend, from the command of the *Essex*, Mississippi Squadron, and ordered to command the *Mohongo*.
Commander Andrew Bryson, from ordnance duty at New York, and ordered to command the *Essex*.
Captain John B. Marchand, from the command of the *Lackawanna*, and ordered North.
Captain G. F. Emmons, from special duty at Washington, D. C., and ordered to command the *Lackawanna*.
Paymaster R. J. Richardson, from the *Wabash*.
Lieutenant-Commander John S. Barnes, from duty as fleet captain of the North Atlantic Squadron, and waiting orders.
Lieutenant-Commander Leonard Paulding, temporarily from the Navy Yard, New York, and ordered to report to the Chief of the Bureau of Navigation, for special duty.
Ensign Charles H. Craven, from the South Atlantic Squadron, and on sick leave.
Assistant Surgeon G. W. Woods, from the *Roanoke*, and ordered to the Naval Hospital, Norfolk, Va.
Assistant Surgeon C. H. White, from temporary duty at the Naval Rendezvous, New York, and ordered to the *Roanoke*.
Captain John De Camp, from the command of the *Wabash*, and ordered to examination at Philadelphia.
Second Assistant Engineer John Pemberton, from the *Canandaigua*, and ordered North.
Chief Engineer Elbridge Lawton, from special duty at New York, and ordered to duty as fleet engineer of the East Gulf Squadron.
Chief Engineer A. C. Stimers, from special duty at New York, and ordered to the *Wabash*.
Captain Charles W. Pickering, from the command of the *Agamemnon*, and ordered to command the *Wabash*.
Surgeon H. F. McSherry, from the Naval Rendezvous at Jersey City, N. J., and ordered to temporary duty in the North Atlantic Squadron.

APPOINTMENTS.

David Smith, First Assistant Engineer, to the *Tallapoosa*.
Albert T. Green, First Assistant Engineer of the Bureau of Steam Engineering.
Joseph Tulley, First Assistant Engineer, of the *Monongahela*.
Lucien Sullivan, Second Assistant Engineer, of the *Dictator*.
C. Stewart Maurice, Second Assistant Engineer, of the *Agamemnon*.
William L. Bailie, Second Assistant Engineer, of the *Cimarrone*.
Francis D. Stedman, Second Assistant Engineer, of the *Naragansett*.

RESIGNATIONS ACCEPTED.

Assistant Surgeon Edward Holden, of the *Sassacus*.
Paymaster R. J. Richardson, late of the *Wabash*.
Midshipman George L. Brown, of the Naval Academy.

ORDERS REVOKED.

Lieutenant R. B. Reill, to the *Vermont*, and ordered to the Norfolk Navy Yard.

VOLUNTEER NAVAL SERVICE.

ORDERED.

Acting Master's Mate S. E. Willetts, to the *Tuscarora*.
Acting Master's Mate James G. Crocker, to the *Savannah*.
Acting Master's Mate Thomas H. Plume, to the *San Jacinto*.
Acting Assistant Surgeon E. K. Colby, to the West Gulf Squadron.
Acting Master Samuel Curtis, to the *Nereus*.
Acting Ensign Jeremiah Potts, to the *Nereus*.
Acting Master George W. Hyde, to the *Morse*.
Acting Master William Earle, to command the *Merrimac*.
Acting Master Benjamin S. Weeks, to the *Pontoon*.
Acting Ensign Robinson Gifford, to the *Savannah*.
Acting Third Assistant Engineer William C. Remick, to the *Commodore Hull*.
Acting Assistant Paymaster Charles Stewart, to the *Supply*.
Acting Assistant Paymaster W. H. Gilman, to the *Pandalia*.
Acting Assistant Paymaster Charles P. Reeves, to the Mississippi Squadron.
Acting Third Assistant Engineer William Henry Woodward, to the *Saco*.
Acting Second Assistant Engineer T. D. Webster, to medical survey at New York.
Acting Assistant Surgeon W. B. Lewis, to the *Jaka*.
Acting Third Assistant Engineer Edward McElwell, to return to his vessel.
Acting Master W. L. Babcock, Acting Ensigns W. A. Smith and Alexander Hansen, to the *Michigan*.
Acting Master E. Herriek, Acting Ensigns J. B. Russell, G. A. Churchill and John A. Davis, to the *Shammut*.
Acting Ensign Cleveland F. Dunderdale, to the *Savannah*.
Acting Second Assistant Engineer William Braidwood, to the *Chino*.
Acting Assistant Paymaster George R. Garthwaite, to the *Sassacus*.
Acting Assistant Paymaster H. B. Brown, to the *Mount Vernon*.
Acting Assistant Paymaster Bela M. Farnham, to the *Shammut*.
Acting Third Assistant Engineer William McEwen, to the Philadelphia Navy Yard, as an assistant to Chief Engineer Herman Newell.

DETACHED.

Acting Master's Mate Joseph R. Travis, from the bark *Roebuck* and ordered to the *Merrimac*.
Acting Master's Mate E. P. Blague and Henry G. Thorburn, from the *Colorado* and ordered to the *Wabash*.
Acting Master's Mate James Cummins, from the *Michigan* and ordered to the *Savannah*.
Acting Assistant Surgeon W. H. Taggart, from the *Princeton* and ordered to the West Gulf Squadron.
Acting Assistant Surgeon Ed. S. Perkins, from the *Brandywine* and ordered to the West Gulf Squadron.
Acting Masters Allen M. Newman and William S. Martine, from the *Roebuck* and waiting orders.
Acting Ensign George M. Palsifer, from the *Roebuck* and waiting orders.
Acting Third Assistant Engineer Charles Green, from the *Unadilla* and ordered to the *Banckez*.
Acting Volunteer Lieutenant W. Budd, from the *Merrimac* and ordered to temporary duty at the Portsmouth Navy Yard.
Acting Master W. L. Babcock, from the *T. A. Ward* and waiting orders.
Acting Assistant Paymaster B. F. Munroe, from the *Supply* and ordered to settle accounts.

Acting Volunteer Lieutenant Charles P. Clark, from the East Gulf Squadron and ordered North.
Acting Master W. H. Mallard, from the *Sebago* and ordered to the South Atlantic Squadron.
Acting Third Assistant Engineer Thomas McNellis, from the *Morse* and ordered to the *Barber*.
Acting Assistant Paymaster Charles H. West, from the *Vandalia* and waiting orders.
Acting First Assistant Engineer Benjamin F. Morey, from the *Monadnock*, to date from September 1, 1864.
Acting Master Elias G. Martin, from the *Michigan* and ordered to the South Atlantic Squadron.
Acting Ensign James Hunter, from the *Michigan* and ordered to the *Savannah*.
Acting Assistant Paymaster H. Y. Glisson, from the *Mount Vernon* and ordered to settle accounts.
Acting Assistant Paymaster J. S. Stimson, from the *Keystone State* and waiting orders.
Acting Assistant Paymaster G. De F. Barton, from the *Sassacus* and ordered to settle accounts.
Acting Volunteer Lieutenant W. G. Saltonstall, from the command of the *Kensington* and waiting orders.
Acting Assistant Paymaster Clinton D. Harvey, from the *Marion* and waiting orders.
Acting Volunteer Lieutenant Charles De Bevoise, from the *Roanoke* and ordered to the Potomac Flotilla.
Acting Master J. E. Rockwell, from the Potomac Flotilla and ordered to command the *Kensington*.
Acting Assistant Paymaster J. W. Fairfield, from special duty at Oxford, N. Y., and ordered to the *Keystone State*.
Acting Master Jacob Kimball, from the *Niagara* and waiting orders.
Acting Assistant Surgeon J. W. Gale, from the *Galatea* and ordered to the North Atlantic Squadron.
Acting Assistant Surgeon F. M. Lawson, from the *Nereus* and ordered to the North Atlantic Squadron.

APPOINTED.

A. F. Aldridge, Acting Master's Mate, and ordered to the *Tuscarora*.
Christian Kruse, Acting Master's Mate (under circular of October 7, 1863), and ordered to the East Gulf Squadron.
Robert Ludlow Case, Acting Third Assistant Engineer, and ordered to the *Mohongo*.
Richard Nash and Thomas J. W. Cooper, Acting Second Assistant Engineers, and ordered to the South Atlantic Squadron.
Bernard Rice, Acting Third Assistant Engineer, and ordered to the *Dictator*.
George Bennett and James Thomas Boyd, Acting Third Assistant Engineers, and ordered to the *Dunbar*.
George T. Bowen, Acting Master and Pilot, and ordered to the North Atlantic Squadron.
William G. Smoot, Acting Second Assistant Engineer, and ordered to the Novelty Iron Works, New York, for duty in connection with steam expansion experiments.
George W. Holloway, Acting First Assistant Engineer, and ordered to the *Casco*.
Frederic Henriques, John Miller and Samuel A. Appola, Acting Second Assistant Engineers, and ordered to the West Gulf Squadron.
August Abjesson and William Henry Wingate, Acting Third Assistant Engineers, and ordered to the *Susanne*.
Charles Miller, Acting Ensign, and ordered to the *Tuscarora*.

CONFIRMED.

Acting Master's Mate Henry A. Case, and ordered to instruction at New York.
Acting Master's Mate Michael Kennedy (under circular of October 7, 1863), and ordered to the Potomac Flotilla.
Acting Master's Mate Charles E. Schofield (under circular of October 7, 1863), and ordered to the *Antona*.
Acting Master's Mate James Cummins (under circular of October 7, 1863), and ordered to the *Michigan*.
Acting Master's Mates David H. Hall and Rufus C. Tyler, and ordered to instruction at New York.
Acting Master's Mate James W. De Camp, and ordered to the *Wabash*.
Acting Master's Mate William D. Cobb, and ordered to instruction at New York.
Acting Master's Mates James Green, and ordered to the Mississippi Squadron.
Acting Master's Mates Robert B. Moore and Allen A. King (under circular of October 7, 1863), and ordered to the Mississippi Squadron.
Acting Third Assistant Engineer Jacob W. Cassell, and ordered to the Mississippi Squadron.
Acting Master's Mate James Minger (under circular of October 7, 1863), and ordered to the Mississippi Squadron.
Acting Master's Mate James Truitt, and ordered to the Mississippi Squadron.
Acting Master's Mate David A. Boles (under circular of October 7, 1863), and ordered to the Mississippi Squadron.
Acting Ensigns John H. King, Gustavus A. Patchke and S. Warner Chase, and ordered to the Potomac Flotilla.
Acting Ensign John Bowman, and ordered to the *Conemaugh*.
Acting Ensign L. A. Cornthwaite, and ordered to the *Winona*.
Acting Ensigns Samuel S. Beans and Charles M. Rowe, and ordered to instruction at New York.
Acting Third Assistant Engineer Thomas Armstrong, and ordered to remain attached to the *Hollyhock*.
Acting Ensigns William Bonnaire and T. M. L. Chrystie, on the staff of Rear-Admiral Farragut, and ordered to the West Gulf Squadron.
Acting Ensigns Daniel Friele, George H. Book and Leander M. Keene, and ordered to instruction at New York.
Acting Ensign Frank M. Freeman, and ordered to the *Jamestown*.
Acting Ensign J. H. Iverson, and ordered to the *Cambridge*.
Acting Ensign B. B. Elder, and ordered to the *Vicksburg*.
Acting Third Assistant Engineer John L. Starkey, and ordered to the *Maratona*.

PROMOTED.

William Williams, to Acting Master's Mate, and ordered to the *Nahant*, for meritorious conduct in action.
Acting Master William B. Sheldon, of the *Shockoten*, to Acting Volunteer Lieutenant.

RESIGNATIONS ACCEPTED.

Acting Master's Mate E. S. D. Howland, of the *Nipsic*.
Acting Master's Mate J. Henry White.
Acting Chief Engineer William D. Faulkner, of the Mississippi Squadron.
Acting Master Frank B. Meriam, of the *Norwich*.
Acting Ensign William Betts, of the *Vandalia*.
Acting Assistant Paymaster S. W. Adams.
Acting Assistant Surgeon John F. Liscomb, of the *Iuka*.
Acting Third Assistant Engineer Malcolm Sinclair.
Acting Third Assistant Engineer C. H. Warren.

APPOINTMENTS REVOKED.

Acting Master's Mate W. A. Currier.
Acting Master's Mate Joseph W. Pardee, of the *Queen City*, Mississippi Squadron.
Acting Ensign Robert Pendlebury.
Acting Second Assistant Engineer R. O. Dennett.
Acting Third Assistant Engineer William Fisher.

DISMISSED.

Acting Second Assistant Engineer Robert C. Taylor, of the Mississippi Squadron.
Acting Third Assistant Engineer A. F. Gardner, of the Mississippi Squadron.
Acting Third Assistant Engineer Joshua W. Buck.
Acting Gunner James Nash.

MISCELLANEOUS.

Acting Master Alfred Everson having been tried by a naval general court-martial, is hereby sentenced to be imprisoned for one year, to be deprived of his pay during that time, except so much thereof as may be necessary for his clothing and subsistence, and at the expiration of his term of imprisonment to be dismissed from the Navy of the United States.

ADMIRAL Porter communicates to the Navy Department the capture of the steamer *Nando*, a blockade-runner of six hundred tons. Her cargo consisted of five hundred and fifty bales of cotton. The capture was made by the United States steamer *Port Jackson*.

VARIOUS NAVAL MATTERS.

The United States ship *Iro*, from Hampton Roads, has arrived at Portland.

The side-wheel steamer *Vanderbilt*, 15, sailed from Boston with a cargo of recruits for the blockading squadron on the 24th.

CAPTAIN Richard W. Meade has been ordered to command the *San Jacinto* at Portsmouth, if the vessel can be got ready in time.

The side-wheel steamer *Little Ada*, is to be the tender to Admiral D. D. Porter's flagship of the North Atlantic blockading squadron.

One hundred and twelve sailors, just released from Southern military prisons, recently arrived at the Washington Navy Yard. They reaffirm the stories of ill treatment and suffering.

FOREIGN advices by the *Belgian*, says that the screw frigate *Niagara*, 15, had arrived at Shore Hill on the 14th inst. with a Spanish steamer, seized under suspicion of being a blockade-runner.

CHIEF Engineer Alban C. Stimers, the designer of the light draught Monitors, has been detached from duty connected with the iron-clad business, and ordered to the screw frigate *Wabash*.

The sloop-of-war *Constellation*, 24, Captain Henry R. Stellwagen, arrived at Algiers on the 23rd of September, from Spezia, and sailed the following day for Madeira and the United States.

The prize steamer *Elise* was sold at auction in Boston, last week, to J. S. Emery & Co., for \$43,850. She is a Clyde built, iron side-wheel steamer, of about 200 tons, built in April last, and cost \$70,000 in gold. She has two good engines, built by the Greenock Foundry Company in 1864.

The torpedo boat *Stromboli* is now at Jersey City being fitted for service. The following engineer officers have been ordered to her:—Commanding officer, First Assistant Engineer John L. Lay; Second Assistants, James H. Charman, C. H. Stone; Acting Third Assistant, Byron S. Heath.

RICHMOND papers of the 17th instant, published an account of the blowing up and sinking of the United States steamer *Nippon*. Rear-Admiral D. D. Porter telegraphs to the Navy Department, that he has received letters from the *Nippon*, dated the 18th, which makes no mention of any casualty to her.

LAST week Mr. John W. Thompson was appointed Superintendent of the Naval Laboratory of the Washington Navy Yard, and Mr. John M. McFarland foreman, by the Bureau of Ordnance. Both of these gentlemen have been employed in the Laboratory for a series of years—Mr. Thompson for over fifteen years, and Mr. McFarland since childhood.

ADMIRAL Farragut reports to the Navy Department the capture of the schooner *Watchful* by the United States steamer *Arkansas*. She purported to be bound from New York to Matamoros. The captain represented that her cargo consisted of lumber and petroleum; but, on searching the vessel, boxes were found under the lumber, which he acknowledged contained arms.

A RETIRING Board for the Marine Corps consisting of Lieutenant-Colonel Wood Marston, President; Lieutenant-Colonel James H. Jones, Major George R. Graham, Surgeon Charles Eversfield, Surgeon Delavan Bloodgood, and Lieutenant J. C. Harris, Judge-Advocate, is now in session at the Marine Barracks, Brooklyn Navy Yard, before which two or three officers will appear for examination.

FOR several months past there has been comparatively little running of the blockade across the lower Potomac, but lately the trade has been resumed and a number of boats have lately been destroyed in the creeks on the Virginia shore, by the several vessels of the flotilla. The *Famke*, alone, has destroyed, in the last three weeks, over thirty boats found on the Virginia shore, which had been used in the trade. Lately there have been several runners captured.

THE departure within the last few weeks of an unusually large number of vessels from the Charlestown Yard has created an extreme stillness in affairs, forming a striking contrast with the remarkable activity which previously prevailed. The screw steamer *Dacota* will soon go into dry dock to receive repairs. She is to have a new set of boilers. Side-wheel steamer *Connecticut* will be detained to have her damaged machinery put in order. The iron-clad *Quinsigamond* and the several sloops-of-war building, are rapidly approaching completion.

THE new screw gunboat *Saco*, 8, sailed from Boston on Saturday afternoon last, for the North Atlantic blockading squadron. Her officers are as follows:—Commander, Lieutenant John G. Walker; Acting Ensigns, O. F. Nixon, W. H. Potter, Thomas R. Rollins, A. H. Ostrander; Passed Assistant Surgeon, Arthur Mathewson; Acting Assistant Paymaster, Charles H. Hill; Acting Master, Wm. F. Hunt; Engineers, Acting First, Abraham W. Harris; Acting Second, John P. Lloyd and James P. Cronthers; Third, Wm. J. Barrow and Wm. H. Woodward.

AFFAIRS at the Brooklyn Navy Yard are nearly unchanged. Work is proceeding with vigor but with no unusual dispatch. Preparations are making for the launch of the frigate *Wampago*, which is expected to take place before long. The screw steamer *Takoma*, which has long been detained at the lower quarantine, in consequence of the presence of yellow fever on board, came up to the Yard on Sunday and was placed in a retired position. She will not be sent to sea again until a sharp frost shall have made it perfectly safe to do so. The Monitor *Monadnock* has sailed for Wilmington, accompanied by her tender the *Little Ida*. The *Kensington*, *Grand Gulf*, *Mohican* and *Augusta* have also sailed. The *A. D. Vance*, 5, was put in commission on Wednesday. She will be commanded by Captain George P. Upshur.

CAPTAIN Semmes, accompanied by eight officers of the *Alabama* and one hundred men, left Liverpool October 13th, to be transferred, with guns, &c., to the steamer *Ranger*, recently lying at Madeira. The Liverpool correspondent of the *London News* says: Captain Semmes, of whom since the sinking of the *Alabama* we have heard so little, and that little so erroneous, sailed from the *Mersey* on Sunday last on board the bark *Laurel* under the command of Captain S. F. Ramsey. The destination of the *Laurel* is rather mysterious at present, but, as far as the customs bills of entry shows, the vessel has certainly cleared for ports where Confederate proclivities predominate, viz., Nassau, Havana, and Matamoros. Her cargo is of such a mixed nature that no belligerent State would have the slightest doubt as to its usefulness. It consists of some large guns, small arms, shoes, leather in bulk, ammunition, clothes, blankets, drugs, &c. But the *Laurel* must not be supposed to be intended for a cruiser; she is merely a tender, and carries out to a certain latitude guns and ammunition for a new screw steamer, of which Captain Semmes is to take command. This vessel is supposed to be a new screw steamer which was lying at Madeira on the 3d inst., and was there known under the name of the *Ranger*. The *Ranger* is large and very swift. To show that Captain Semmes does not go unattended, we may here state that he took with him on board the *Laurel* eight officers and one hundred men, most of whom served with him on board the *Alabama*.

OFFICIAL DISPATCHES FROM MR. STANTON.

WAR DEPARTMENT, WASHINGTON, }
Thursday, Oct. 20—10:45 A. M. }

Major-General Dix:

Another great battle was fought yesterday at Cedar Creek, threatening at first a great disaster, but finally resulting in a victory for the Union forces under General Sheridan, more splendid than any heretofore achieved. The Department was advised yesterday evening of the commencement of the battle by the following telegrams:

RECTORTOWN, VA., Wednesday, }
October 19—4 P. M. }

Major-General H. W. Halleck, Chief of Staff:

Heavy cannonading has recommenced in the Valley, and is now going on. (Signed) C. C. AUGUR, Major-General.

HARPER'S FERRY, VA.—8:40 P. M., }
Wednesday, October 19. }

Hon. E. M. Stanton, Secretary of War:

Firing at the front has been continuous during the day. The direction seemed at intervals to be to the left of Winchester, as if at Berry's Ferry.

No news from the front.

(Signed) JOHN D. STEVENSON, Brigadier-General.

HARPER'S FERRY, VA.—8:45 P. M., }
Wednesday, October 19. }

Hon. EDWIN M. STANTON, Secretary of War:

The enemy attacked our army with great impetuosity this morning at daylight.

The attack was made on the left of the Eighth Corps, and was at first successful, they capturing some guns, prisoners and wagons. Our line was re-formed and heavy fighting continued through the day.

Sheridan was reported at Winchester this morning, and went to the front.

The particulars received are not official, and are not favorable, though no serious disaster could have occurred without direct news from Sheridan. Respectfully, (Signed) JOHN D. STEVENSON, Brigadier-General.

Matters remain in the doubtful state represented by the foregoing telegrams until this morning, at 9:30, when the following telegram was received, unofficially, reporting the great victory won by Sheridan's army:

HARPER'S FERRY, VA., Thursday, }
October 20—9:30 P. M. }

News from Sheridan's headquarters at midnight is to the effect that the enemy surprised our forces yesterday morning, driving the command in some confusion this side of Newtown, capturing artillery and prisoners.

Sheridan arrived in the field, reorganized our forces, drove the enemy beyond Strasburg, capturing, it is reported, forty-three pieces of artillery, one hundred wagons and ambulances, and some two thousand prisoners.

The rout of the enemy is said to be complete. This is not official, but I think reliable. (Signed) J. D. STEVENSON, Brigadier-General.

A few minutes later the following official report of his victory was received from Major-General Sheridan:

CEAR CRREE, Wednesday, Oct. 19, 10 P. M.

To Lieutenant-General Grant, City Point:

I have the honor to report that my army at Cedar Creek was attacked this morning before daylight and my left was turned and driven in confusion.

In fact most of the line was driven in confusion, with the loss of twenty pieces of artillery.

I hastened from Winchester, where I was, on my return from Washington, and found the armies between Middletown and Newtown, having been driven back about four miles. I here took the affair in hand, and quickly united the corps, formed a compact line of battle just in time to repulse an attack of the enemy, which was handsomely done at about 1 P. M.

At 3 P. M., after some changes of the cavalry from the left to the right flank, I attacked with great vigor, driving and routing the enemy, capturing, according to the last report, forty-three pieces of artillery and very many prisoners.

I do not know yet the number of my casualties or the losses of the enemy.

Wagons, trains, ambulances and caissons in large numbers are in our possession.

They also burned some of their trains. General Ramseur is a prisoner in our hands, severely, and perhaps mortally wounded.

I have to regret the loss of General Bidwell killed, and Generals Wright, Grover and Ricketts wounded. Wright is slightly wounded.

Affairs, at times, looked badly, but by the gallantry of our brave officers and men disaster has been converted into a splendid victory.

Darkness again intervened to shut off greater results.

I now occupy Strasburg.

As soon as obtained, I will send you further particulars.

(Signed) P. H. SHERIDAN, Major-General.

The battle was fought on the same day, 19th of the month, that witnessed Sheridan's victory in September.

What the numbers were opposed to General Sheridan are not yet reported to the Department, but the boldness, vigor and success of the attack strongly indicate that a heavy reinforcement had been sent from Richmond, with the expectation of fulfilling Longstreet's boast to smash up Sheridan.

Longstreet was known to be in the Valley, and had assumed command of the rebel army, and confident hopes of an overwhelming disaster to the Union army were heartily expressed for several days back by the rebel adherents in Washington and Baltimore.

EDWIN M. STANTON, Secretary of War.

WAR DEPARTMENT, WASHINGTON, D. C., }
Friday Oct. 21—11:40 A. M. }

Major-General Dix:

The following telegram, received this morning, contains further particulars of the battle of Cedar Creek:

CEAR CRREE, VA.—11:30 A. M., }
Thursday, October 20. }

Lieutenant-General U. S. Grant, City Point:

We have again been favored by a great victory, won from disaster, by the gallantry of our officers and men.

The attack on the enemy was made about 3 P. M., by a left wheel of the whole line with a division of cavalry turning each flank of the enemy, the whole line advancing.

The enemy, after a stubborn resistance, broke and fled, and were pushed with vigor. The artillery captured will probably be over fifty pieces.

This of course includes what were captured from our troops in the early morning. At least sixteen hundred prisoners have been brought in; also wagons and ambulances in large numbers.

This morning the cavalry made a dash at Fisher's Hill and carried it, the enemy having fled during the night, leaving only a small rear-guard.

I have to regret the loss of many valuable officers killed and wounded, among them Colonel Joseph Thorburn, commanding a division of Crook's command, killed; Colonel J. Howard Kitchen, commanding a brigade, wounded; Colonel R. G. McKinzie, commanding a brigade, wounded severely, but would not leave the field. I cannot yet give exact details.

Many of our men captured in the morning have made their escape and are coming in.

Ramseur, commanding a division in Early's army, died this morning.

P. H. SHERIDAN, Major-General Commanding.

General Grant's appreciation of the victory at Cedar Creek is expressed in the following dispatch:

CITY POINT, Thursday, Oct. 20—8 P. M.

Hon. EDWIN M. STANTON, Secretary of War:

I had a salute of one hundred guns from each of the armies here fired in honor of Sheridan's last victory. Turning what bid fair to be disaster into a glorious victory stamps Sheridan what I always thought him, one of the ablest of Generals.

U. S. GRANT, Lieutenant-General.

The Medical Director reports that seven hundred and seventy slightly wounded have reached Winchester from the field.

All the wounded that are able to bear transportation will be forwarded immediately to Martinsburg.

The telegraph line is now working to Atlanta, but no late reports have been received by the Department.

EDWIN M. STANTON, Secretary of War.

THE ARMY AND NAVY PURCHASING AGENCY of Messrs. CARRINGTON & Co., at No. 40 Broadway, New York, supplies a want which is often felt by gentlemen in the two services. Charging but a small commission for their services, this firm executes orders for the purchase of articles required by officers and soldiers with promptness and fidelity. We take pleasure in calling attention to their advertisement on another page.

MAJOR-General Banks arrived in Boston on Saturday evening, and took carriage for his residence in Waltham, Mass.

MARRIED.

[Announcements of marriages should be paid for at the rate of fifty cents each.]

VAN RENSSLAER-TAYLOR.—On the 20th inst., at St. John's church, Huntington, Baltimore county, Md., by Rev. W. T. Johnson, JOHN J. VAN RENSSLAER, Surgeon 96th New York, and FLORENCE, daughter of Chas. E. Taylor, Esq., of Baltimore county.

KETCHUM-SCIDMORE.—At the residence of the bride's mother, Unionville, N. J., on the 19th inst., by Rev. Mr. Wardworth, Dr. HORACE C. KETCHUM, late Medical Director of the 8th and 9th Regts., Kansas, to Miss FREDERICK SCIDMORE, of the former place.

MCKINLEY-LEVERING.—On the 15th inst., by the Rev. Edward Sennett, at the residence of the bride's father, Hope, Indiana, Dr. SAMUEL E. MCKINLEY, of Louisville, Ind., of the Medical Staff, Department of the Gulf, U.S.A., to Miss MARRIE R., daughter of the Hon. Charles J. Levering, formerly of North Carolina.

FELT-WHITELEY.—At New Preston, Conn., on Thursday, Oct. 13th, by the Rev. Henry Upson, Captain WILLIAM N. FELT, C.S.U.S. Volunteers, to FANNIE WHITELEY, daughter of D. C. Whiteley, Esq., of the same place.

HERBERT-BAGGETT.—In New Orleans, La., on Tuesday, Oct. 11th, Lieutenant GEORGE R. HERBERT of Brooklyn, N. Y., to MARY A. BAGGETT, of the former place. No cards.

DANILSON-LOVELL.—In Beaufort, S. C., on Friday, Oct. 7th, by the Rev. T. W. Lewis, Capt. W. H. DANILSON, 3d U.S. C. Troops, to Miss L. E. LOVELL, of Sharon, Connecticut.

WHITE-GIBBONS.—At Philadelphia, 22d inst., at the church of the Holy Trinity, by Rev. Phillips Brooks, Geo. Q. WHITE, Captain and A.Q.M., to CAROLINE H., daughter of Hon. Charles Gibbons, of Philadelphia.

WHITNEY-DEL PRADO.—On Thursday, the 27th of Oct., in the Chapel at Fort Columbus, N. Y. H., by the Rev. Dr. Neviar, of N. Y. city, Lieutenant J. WHITNEY, 3d U.S. Infantry, to MARIE, only daughter of the late Francis Del Prado, Esq.

DIED.

MIDDLETON.—At Augusta, Georgia, on the 29th of Sept., Henry B. Middleton, son of Robert W. Middleton, Esq., of his city, in the 27th year of his age. He was Master-at-Arms on board of the United States mortar schooner *Dan Smith*, and was captured on the 8th of September, 1863 at the storming of Fort Sumter. At the time of his death, he was, with other paroled prisoners, on his return home from Andersonville, Georgia.

ADVERTISEMENTS.

Advertisements of a character suited to the columns of the JOURNAL will be inserted, to a limited extent, at twenty-five cents a line each insertion. Advertisers are requested to make their favors as short as possible.

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HEADQUARTERS DISTRICT OF COLUMBIA,
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COLUMBUS, KY., June 23, 1863.

CIRCULAR.

The attention of Company Officers is called to a work lately published by J. B. Lippincott & Co., of Philadelphia, entitled "The Company Clerk," &c. This work can be purchased at the bookstores in Columbus, Cairo, St. Louis, &c., and all officers in the Volunteer service are recommended to acquaint themselves with its very valuable and necessary information.

By order of Brigadier-General Asboth.

T. H. HARRIS, Ass't Adj.-Gen.

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Sole Agency for PAUL DE

CONINCK, MONOD & GUI-

AUD, of Bordeaux, France.

N. B.—All goods warranted

strictly pure, and sent to all parts of the country.

PETROLEUM.

ASTOR BURNING SPRING

PETROLEUM LAND ASSOCIATION.

To be incorporated under the Laws of the State of New York.

Capital.....\$2,000,000,
100,000 SHARES AT \$20 EACH.

Subscription price for the remaining 20,000 shares for full paid stock, free from all assessments, \$3 per share—being less than one-half of its par value; 10,000 shares are reserved to pay expense of the Association. The property secured for the Company consists of about 7,000 acres all in fee. There is between sixty and seventy miles of this property on rivers, runs and creeks, of the best boring territory. It is located mostly on the celebrated Rathbone Burning Tract, on the Little Kanawha River, Wirt and Calhoun Counties, Va., about twenty-four miles from Parkersburg, and seven miles from the Baltimore and Ohio Railroad. A charter has been granted for a branch road and laid out directly through the lands of this Association, which it is expected will be completed in a very short time, which will give a direct communication to all the Eastern cities, as well as the Ohio River by the Railroad.

Numerous applications have already been made for leasing lots on this tract, and it is confidently believed by reliable persons that have returned, after making a thorough examination of this property, who are ready to give all information that may be wanted in regard to the same, that it can be made to yield an income to the association in ninety days after its organization of from five to ten per cent. per month on the investments from the cash bonuses, from leases of lots and royalty alone, without the expenditure of one dollar by the company. Lead ore, coal, and timber of the finest quality, in immense quantities, are also on the lands. The attention of capitalists to this enterprise is solicited, as a first-class investment at price offered. The organization of the company is deferred until the stock subscription is completed. No money to be paid until the shareholders' committee are satisfied with the property, when a meeting of subscribers will be called for the purpose of electing their own officers. Books of subscription, giving full particulars, are now open at the office of

RICHARDS KINGSLAND,

38 Pine street.

OIL CREEK PETROLEUM COMPANY.

Capital.....\$1,000,000
PAR VALUE \$20 PER SHARE.

\$100,000 has been paid to shareholders in dividends for August, September and October, will pay 3 per cent a month on investment from the product of three wells now working. They have five wells now nearly done, expected to be completed in the next thirty days, which it is confidently believed will enable them to pay 5 to 6 per cent. monthly dividends. Nine engines and all necessary tools, &c., &c., are now on the ground, belonging to the Company. They now offer to sell a limited number of shares, that were reserved for working capital, to enable them to develop at once all their property. This stock can be obtained solely of the undersigned at \$10 per share, free from any assessment, being the subscription price, and ONLY ONE-HALF ITS PAR VALUE.

RICHARDS KINGSLAND,

Petroleum Exchange,

38 Pine-st., N. Y.

CENTRAL BURNING SPRING OIL COMPANY.

Capital.....\$300,000
PAR VALUE \$3 00 PER SHARE.

This Company have now 5 wells down ready for tubing; good show of oil; have proved to be 20 to 100 barrel wells. Engines and all necessary tools on the ground ready for work; expected to pay dividends in 30 days of 5 per cent. per month on capital stock. A limited number of shares reserved for working capital can now be obtained at the subscription price of \$1 00 per share, free from all assessments, being one-third of the par value, at the office of

RICHARDS KINGSLAND,

Petroleum Exchange,

38 Pine street, N. Y.

PETROLEUM OIL STOCKS

BOUGHT AND SOLD,

PAYING FROM 1 TO 10 PER CT. PER MONTH.

VIZ.:

MANHATTAN, AMHERST, KICKAPOO, CHERRY RUN, MAPLE SHADE, NEW YORK & PENN., N. Y. & ALLEGHENY, CLIFTON, BERGEN, ALLEGHENY RIVER, CENTRAL, HAMMOND, SENECA RESERVATION, MCKINLEY, ENTERPRISE, UNITED STATES, GREAT WESTERN, OHIO RIVER, COLUMBIA, OIL CREEK, VIRGINIA & OHIO.

DIVIDENDS ADVANCED on Stocks Purchased, and subscription books opened for several New Companies now forming, AT ONE-HALF the par value, at the Petroleum Exchange Office of

RICHARDS KINGSLAND,

38 Pine street, New York.

BAILEY AND EATON'S

PARAFFINE GUN OIL.

Prepared expressly for Army use. It prevents rust on locks, barrels, swords, scabbards, etc. Carefully put up in one gross packages.

Wholesale Depot,

28 AND 30 CANAL-ST., BOSTON, MASS.

ESTABLISHED 1821.

WILLIAM GALE & SON,

Manufacturers of

STERLING SILVER WARE,

And dealers in

PLATED GOODS AND FINE TABLE CUTLERY.

No. 457 BROADWAY, corner of Broome street, New York.

GEORGE W. GRAY.

BROWN STOUT.

PORTER, AND ALE BREWER,

38 South Sixth street,

Philadelphia.

BENEDICT BROTHERS,

KEEPERS OF THE CITY TIME,

(Former 5 Wall-st.)

Importers and Manufacturers of

FINE WATCHES, JEWELRY, DIAMONDS,

AND SILVER WARE,

No. 171 Broadway, cor. Courtlandt-st., New York.

WATCHES REPAIRED AND WARRANTED.



FISK'S METALLIC BURIAL CASES

AND CASES

Are manufactured of Cast Metal, in imitation of rose-wood, as well finished and as highly polished as the best Rosewood Piano. They are perfectly AIR-TIGHT, INDESTRUCTIBLE, and FREE from ENCROACHMENTS OF VERMIN or WATER.

We disclaim all connection with the VARIOUS IMITATIONS manufactured of SHEET IRON and other materials.

W. M. RAYMOND & CO.

Sole Manufacturers and Proprietors—

MANUFACTORY, NEWTOWN, L. I.

Warehouses and Office, No. 343 PEARL ST., N. Y.

ELLIOT'S REPEATERS

Are the best Revolvers made, great power, small size, safe, durable, quickly loaded; use common metallic cartridges. No. 32, American Institute awarded them the diploma. Trade supplied.

ELLIOT ARMS CO., No. 494 Broadway, N. Y.

ARTIFICIAL HUMAN EYES

MADE TO ORDER and fitted by

Dr. F. BAUCH and P. GOUGLIER-

MANN, (formerly employed by the

sonneau of Paris.) 699 Broadway, New York.

PROPOSALS FOR RATIONS.—

Sealed proposals will be received at this office, until 2 o'clock, P. M. of the 25th day of November next, for furnishing RATIONS to the United States

Marines at the following stations, during the year 1865, viz:

Portsmouth, New Hampshire.
Charlestown, Massachusetts.
Brooklyn, New York.

Washington City, District of Columbia.
Georgetown, near Norfolk, Virginia.

Each ration to consist of three-fourths of a pound of pork or bacon, or one and a fourth pound of fresh or salt beef; eighteen ounces of bread or flour, or twelve ounces of hard bread, or one and a fourth pound of corn meal; and at the rate to one hundred rations of eight quarts of beans, or, in lieu thereof, twice per week, ten pounds of rice; or, in lieu thereof, twice per week, one hundred and fifty ounces of desiccated potatoes, and one hundred ounces of mixed vegetables; ten pounds of coffee; or, in lieu thereof, one and a half pound of tea; fifteen pounds of sugar; four quarts of vinegar; one pound of sperm candles, or one and one fourth pound of tallow; one pound of soap, or one and a half pound of tallow, four pounds of soap and two quarts of salt.

The rations to be delivered upon the order of the Commanding Officer of each station; the fresh beef, either in bulk or by the single ration, of good quality, with an equal proportion of the fore and hind quarters, neck, and kidney—tallow excluded; the pork, No. 1 prime mess pork; the flour, extra superfine; the coffee, good Rio; the sugar, good New Orleans, or its equivalent; and the beans, vinegar, candles, soap, salt, &c., to be of good quality.

All subject to inspection.

All bids must be accompanied by the following guarantee:

FORM OF GUARANTEE.

The undersigned,.....of.....in the State of..... and.....of.....in the State of....., hereby guarantee that in case the foregoing bid of.....for rations, as above described, be accepted, he or they will, within ten days after the receipt of the contract at the post-office named, execute the contract for the same, with good and sufficient securities; and in case the said guarantee shall fail to enter into contract as aforesaid, we guarantee to make good the difference between the offer of the said.....and that which may be accepted.

Witness,

E. F. C. D. Guarantor.

I hereby certify that the above-named.....are known to me as men of property, and able to make good their guarantee.

To be signed by the United States District Judge, United States District Attorney, or Collector.

No proposal will be considered unless accompanied by the above guarantee.

Newspapers authorized to publish the above will send the paper containing the first insertion to this office for examination.

Proposals to be endorsed "Proposals for Rations for 1865," and addressed to the undersigned,

W. B. SLACK, Major and Quartermaster.

MANN'S PATENT ACCOUTREMENTS FOR INFANTRY AND CAVALRY.

LARGE ORDERS NOW BEING FILLED FOR THE GENERAL GOVERNMENT.

Great relief to the Soldier. Men prefer to carry 100 rounds of ammunition in this manner to 40 in the old way.

Read the following extract from an OFFICIAL REPORT

made to the Department, based on a trial in the Army of the Potomac during this Spring and Summer's severe campaign:—

"The men were questioned in regard to the following difficulties noticed with the old accoutrements:—
"First. Did the shoulders or breast become chafed?
"Second. Was there any pain in the stomach from pressure of the box?
"Third. How did the weight of the cartridge-box affect them in comparison with the old?
"Fourth. Could they use their arms with more freedom?
"Fifth. Could they breathe with greater ease, and longer respiration?
"Sixth. Was the box in the way, or uncomfortable lying down?
"To these questions the following answers were given:—
"First. In no case was there any chafing or uncomfortable pressure from the straps on the shoulders, nor did it make them feel anything like so warm.
"Second. The weight of the box was not felt on the stomach, and no pain.
"Third. That the weight of the cartridge-box was not felt, and that they would rather carry one hundred rounds in that way than forty in the old.
"Fourth. The arms are entirely free, as much as if they had nothing on.
"Fifth. The coat can at all times be thrown open, and the fullest respiration can be obtained, the lungs having free scope.
"Sixth. The box was not in the way, and they could sleep comfortably with their accoutrements on.
"They are far more convenient in action. During the campaign my men were, from the sixth of May until the twentieth, without having their accoutrements off, day or night, but once; no complaints were heard of sore shoulders, breasts or stomachs, and men ruptured found them beyond all comparison easier than the old. The box does not interfere with the handling of the piece. I find that these accoutrements are scattered through this division—men throw away the old, and took these from the dead and wounded on the field. This one thing speaks more for them than any and all I can say."
There are no knapsack straps under the arms. The sack is kept up on the shoulders and cannot settle into the hollow of the back. There is no broad cross belt over the breast, so oppressive and hot, with the old style.
Two of these lives were saved in one regiment during the Wilderness Campaign by the box in front stopping the balls.
In the Cavalry the weight of the Ammunition, Pistol and Sabre is all borne on the shoulders, and the waist belt is loose, thus removing the chief cause of rupture and piles, the two most dreadful afflictions of the cavalryman. Ruptured men can wear these accoutrements with ease.
Commanders of regiments newly equipping, and of regiments whose accoutrements are worn out, should make requisition for these accoutrements and knapsacks, and thus confer the greatest good upon their men. Soldiers, ask your officers to draw these accoutrements for issue. Send for book giving full description and the opinion of Lieut.-Gen. Grant and other distinguished officers.
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